

Panaji, 11th June, 2015 (Jyaistha 21, 1937)

SERIES II No. 11

# OFFICIAL GAZETTE



# GOVERNMENT OF GOA

PUBLISHED BY AUTHORITY

*Note:- There is one Extraordinary issue to the Official Gazette, Series II No. 10 dated 04-06-2015 namely, Extraordinary dated 09-06-2015, from pages 239 to 240 regarding Notification from Department of Finance.*

## GOVERNMENT OF GOA

Department of Education, Art &amp; Culture

Directorate of Education

### Order

No. 3-4-2012-13/B-B/AE/DE/II/57

In supersession of Order No. DE/AE/148/BAL BHAVAN/Part I/07-08/962 dated 22-03-2012, Government is pleased to re-constitute the Bal Bhavan Board, Panaji with immediate effect as below:

1. Smt. Kunda S. Chodankar — Chairperson.
2. Shri Ravindra Amonkar — Vice-Chairman.
3. The Secretary (Education), Government of Goa — Member.
4. The Director of Education, Government of Goa — Member.
5. The Director of Sports & Youth Affairs, Government of Goa — Member.
6. The Under Secretary, Finance/Expenditure, Government of Goa — Treasurer.
7. The Member Secretary, Kala Academy, Goa — Member (Nominated).
8. Smt. Sidhi Y. Shetye — Member (Nominated).
9. Smt. Manisha Naik — Member (Nominated).
10. Shri Hemant D. Golatkar — Member (Nominated).
11. Mrs. Fatima Antao — Member (Nominated).

12. Adv. Sneha De Menezes — Member (Co-opted).
13. Mrs. Ankita Ramesh Naik — Member (Co-opted).
14. Shri Bhavesh Zambaulikar — Member (Co-opted).
15. Shri Govind Korgaonkar — Member (Co-opted).
16. Shri Santosh Amonkar, — Director/  
Dy. Director of Education, /Member  
Government of Goa Secretary.

The tenure of the newly constituted Bal Bhavan Board shall be for a period of 3 years w.e.f. 19-03-2015.

The Board shall meet at least three times in a year. The non-official member treated on par with Group 'A' Officers of the State of Goa and they will be entitled to TA/DA which will be met from the funds of Bal Bhavan Board.

By order and in the name of the Governor of Goa.

G. P. Bhat, Director & ex officio Joint Secretary (Education).

Panaji, 5th May, 2015.

Directorate of Higher Education

### Order

No. 21/2/2013-DHE/Vol.II/1224

Read: This Office Memorandum No. 21/2/2013-DHE/Vol. II dated 07-11-2014.

On recommendation of the Goa Public Service Commission as conveyed vide their letter No. COM/1/5/78(16)/2013/760 dated 20-10-2014, Government is pleased to appoint Dr. Suphala Pundalik Pujari, on temporary basis to the post of Assistant Professor in Zoology (Group 'A',

Gazetted) on an initial pay of Rs. 15,600/- in the pay band of Rs. 15,600-39,100+ AGP Rs. 6,000/- and other allowances as admissible from time to time as per the terms and conditions contained in the memorandum dated 07-11-2014 referred to above with effect from 15-06-2015. Upon her appointment she is posted in Government College of Arts, Science and Commerce, Sanquelim-Goa.

Dr. Suphala Pundalik Pujari will be on probation for a period of two years.

This Order is issued subject to outcome of Hon'ble High Court's decision which shall be binding on the incumbent.

By order and in the name of the Governor of Goa.

*Sneha S. Morajkar*, Under Secretary (HE).

Porvorim, 16th April, 2015.

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**Order**

No. 21/2/2013-DHE/Vol.I/1267

Read: Order No. 21/2/2013-DHE/Vol. I dated 31-12-2014.

This Office Memorandum No. 21/2/2013-DHE/Vol. I/2860 dated 07-11-2014.

On recommendation of the Goa Public Service Commission as conveyed vide their letter No. COM/1/5/78(16)/2013/760 dated 20-10-2014, Government is pleased to appoint Dr. Suman Vedhpal Tari, on temporary basis to the post of Assistant Professor in Zoology (Group 'A', Gazetted) on an initial pay of Rs. 15,600/- in the pay band of Rs. 15,600-39,100+ AGP Rs. 6,000/- and other allowances as admissible from time to time as per the terms and conditions contained in the memorandum dated 07-11-2014 referred to above with effect from 15-06-2015. Upon her appointment she is posted in Government College of Arts, Science and Commerce, Sanquelim-Goa.

Dr. Suman Vedhpal Tari, will be on probation for a period of two years.

This issues in supersession to this Department's earlier Order No. 21/2/2013-DHE/Vol. I dated 31-12-2014.

By order and in the name of the Governor of Goa.

*Sneha S. Morajkar*, Under Secretary (HE).

Porvorim, 28th April, 2015.

**Order**

No. 8/2/2010-DHE/GEN/STAFF/1293

Sanction of the Government is hereby accorded for extension of contractual appointment of one Storekeeper (Chemistry Lab); One Technician (Physic Lab); One Library Attendant and One Watchman for a further period of six months w.e.f. February, 2015 on a consolidated remuneration as per the guidelines issued by the Personnel Department vide O.M. No. 10/1/77-PER (Part) dated 21-08-2013 in the Government College of Arts, Science & Commerce, Sanquelim.

This issues with the approval of Council of Ministers and concurrence of Finance (Budget) Department vide their U.O. No. 1400008109 dated 10-02-2015.

By order and in the name of the Governor of Goa.

*Sneha S. Morajkar*, Under Secretary (HE).

Porvorim, 4th May, 2015.

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**Order**

No. 22/1/89-EDN/1442

Read: 1) Government order No. 23/3/89-EDN/ /Part-III/4 dated 31-12-2012 and addendum dated 21-8-2013.

2) Government order No. 23/3/89-EDN/ /Part-III/1123 dated 06-5-2014.

3) Government order No. 23/3/89-EDN/ /Part-III/1427 dated 16-6-2014.

Dr. Jivexa J. Bhattacharjee, Associate Professor of Chemistry of the Government College of Arts, Science & Commerce, Khandola is hereby directed to officiate as Acting Principal, Government College of Arts, Science and Commerce, Khandola in addition to her regular duties, with immediate effect and until further orders.

Dr. Jivexa J. Bhattacharjee shall function as Drawing and Disbursing Officer of the Government College of Arts, Science & Commerce, Khandola, while officiating as Acting Principal of the said College.

Consequently, Dr. Seema Rath, Officiating Principal, Government College of Arts, Science & Commerce, Khandola, stands relieved from her additional charge with immediate effect.

This issues in supersession of order No. 23/3/89-EDN/Part-III/1427 dated 16-06-2014.

By order and in the name of the Governor of Goa.

*Sneha S. Morajkar*, Under Secretary (HE).

Porvorim, 18th May, 2015.

## Department of Environment

## Order

No. 7/4/98/STE-DIR/Part III/223

Read: i) Notification No. 7/4/98/STE-DIR/Part I/922 dated 04-12-2007.  
 ii) Addendum No. 7/4/98/STE-DIR/Part I/1545 dated 15-01-2010.  
 ii) Addendum No. 7/4/98/STE-DIR/Part I/104 dated 23-04-2015.

Vide above read Notifications, the Government of Goa, in pursuance of clause (c) of Rule 2 of the Noise Pollution (Regulation and Control) Rules, 2000 (hereinafter called the "said Rules"), has designated various Officers as 'Authority' for the maintenance of the ambient air quality standards in respect of noise under the said Rules.

2. The Hon'ble High Court of Bombay at Goa, Panaji vide its directives in MCA No. 588 of 2010 in *Suo Motu* Writ Petition No. 4 of 2006 (The Citizens Committee on Noise Pollution v/s State of Goa); has directed that the list of the Officers designated as 'Authority' under the said Rules, should be published for information of the public alongwith details of their telephone numbers.

3. In pursuance of the directives of the Hon'ble High Court, Department of Environment hereby publishes the names and telephone numbers of the Officers designated as 'Authority' under the said Rules, for general information of the public:-

Sr. No.	Name and designation of the officer	Office Tel. No	Residence Tel. No.	Fax No.	Mobile No.
1	2	3	4	5	6
1.	Smt. Neela Mohanan, Collector & District Magistrate, North Goa, Panaji.	2223612 2225383 2427690 2225083	-	2426492	9422057757
2.	Shri Sachin Shinde, Collector & District Magistrate, South Goa, Margao.	2705333 2702699 2737566 2714907	-	2733026	9422439439
3.	Mr. Swapnil M. Naik, Addl. Collector-(I) & Addl. District Magistrate, North Goa, Panaji.	2223418 2225383	-	2426492	9422057757
4.	Mr. S. L. R. Pereira, Addl. Collector-(I) & Addl. District Magistrate, South Goa, Margao.	2794423	-	2733026	9420685650
5.	Mr. Sabaji Shetye, Dy. Collector & Sub-Divisional Magistrate, Tiswadi, Panaji.	2225511	2417838	2225511	9422057531
6.	Mr. Johnson Fernandes, Dy. Collector & Sub-Divisional Magistrate, Ponda.	2312469 2311498	-	2312469	9423323127
7.	Mr. Pundalik Khorjuvekar, Dy. Collector & Sub-Divisional Magistrate, Bardez, Mapusa.	2262038 2250398	-	2262038	9420595095
8.	Mr. Mahadev Araundekar, Dy. Collector & Sub-Divisional Magistrate, Bicholim.	2362058 2360254	-	2362058	9422451995
9.	Mr. Narayan Gad, Dy. Collector & Sub-Divisional Magistrate, Pernem.	2201142	2651599	2201142	8308106622

## OFFICIAL GAZETTE — GOVT. OF GOA

SERIES II No. 11

11TH JUNE, 2015

1	2	3	4	5	6
10.	Mr. Ajit Panchawadkar, Dy. Collector & Sub-Divisional Magistrate, Salcete, Margao.	2730971	2749097	2730971	9823079079
11.	Mr. Gaurish Shankwalkar, Dy. Collector & Sub-Divisional Magistrate, Mormugao, Vasco	2512688 2500565	2285092	2512688	9822588399
12.	Mr. Shankar Gaonkar, Dy. Collector & Sub-Divisional Magistrate, Quepem.	2662228 2662241	2616266	2662228	9822230310
13.	Mr. Chandrakant Shetkar, Dy. Collector & Sub-Divisional Magistrate, Canacona.	2643696	-	2643696	9922356241
14.	Mr. Sagun R. Velip, Dy. Collector & Sub-Divisional Magistrate, Dharbandora.	2614036	-	2614037	9850470146
15.	Mr. Umesh Gaonkar, Superintendent of Police (North Goa) Panaji.	2416100	-	2416243	7875756011
16.	Mr. Shekhar Prabhudesai, Superintendent of Police (South Goa), Margao.	2732218	-	2733864	7875756009
17.	Mr. Serafin Dias, Sub-Divisional Police Officer, Tiswadi, Panaji.	2226519	2415352	2226519	7875756069
18.	Mr. Dinraj R. Goverkar, Sub-Divisional Police Officer, Ponda.	2317978	2520203	2317978	7875756035
19.	Mr. Mohan Naik, Sub-Divisional Police Officer, Salcete, Margao.	2714449 2710656 2714449	2318585	2714449	7875756038
20.	Mr. Lawrence D'Souza, Sub-Divisional Police Officer, Mormugao, Vasco.	2500222	2253944	2500222	7875756048
21.	Mr. Mahesh Gaonkar, Sub-Divisional Police Officer, Mapusa-I for Pernem, Mapusa & Anjuna Police Stations.	2262207	-	2262207	7875756043
22.	Mr. Nelson Albuquerque, Sub-Divisional Police Officer, Mapusa-II for Calangute & Porvorim Police Stations.	2412723	2412692	2412723	7875756113
23.	Mr. Subhash R. Goltekar, Sub-Divisional Police Officer, Quepem.	2663900	2251136	2663900	7875756078
24.	Mr. Gajanan Prabhudesai, Sub-Divisional Police Officer, Bicholim.	2363737	-	2363737	7875756032

By order and in the name of the Governor of Goa.

*Srinet N. Kothwale*, Director & ex officio Joint Secretary (Environment).

Saligao, 20th May, 2015.

## Order

No. 7/4/98/STE/DIR/Part III/261

- Read: i) Notification No. 7/4/98/STE-DIR/Part I/922 dated 04-12-2007.  
 ii) Addendum No. 7/4/98/STE-DIR/Part I/1545 dated 15-01-2010.  
 iii) Addendum No. 7/4/98/STE-DIR/Part I/104 dated 23-04-2015.

Vide above read Notifications, the Government of Goa, in pursuance of clause (c) of Rule 2 of the Noise Pollution (Regulation and Control) Rules, 2000 (hereinafter called the “said Rules”), has designated various Officers as ‘Authority’ for the maintenance of the ambient air quality standards in respect of noise under the said Rules.

2. The Hon’ble High Court of Bombay at Goa, Panaji vide its directives in MCA No. 588 of 2010 in *Suo Motu* Writ Petition No. 4 of 2006 (The Citizens Committee on Noise Pollution v/s State of Goa); has directed that the list of the Officers designated as ‘Authority’ under the said Rules, should be published for information of the public alongwith details of their telephone numbers.

3. In pursuance of the directives of the Hon’ble High Court, Department of Environment hereby publishes the names and telephone numbers of the Officers designated as ‘Authority’ under the said Rules, for general information of the public:-

Sr. No.	Name and designation of the officer	Office Tel. No.	Fax No.	Mobile No.
1	2	3	4	5
1.	Smt. Nila Mohanan, IAS, Collector & District Magistrate, North Goa, Panaji.	2223612 2225383 2427690 2225083	2426492	9822123071
2.	Shri Sachin Shinde, IAS, Collector & District Magistrate, South Goa, Margao.	2705333 2702699 2737566 2714907	2733026	9422439439
3.	Mr. Swapnil M. Naik, Addl. Collector-(I) & Addl. District Magistrate, North Goa, Panaji.	2223418 2225383	2426492	9422057757
4.	Mr. S. L. R. Pereira, Addl. Collector-(I) & Addl. District Magistrate, South Goa, Margao.	2794423	2733026	9420685650
5.	Mr. Sabaji Shetye, Dy. Collector & Sub-Divisional Magistrate, Tiswadi, Panaji.	2225511	2225511	9422057531
6.	Mr. Johnson Fernandes, Dy. Collector & Sub-Divisional Magistrate, Ponda.	2312469 2311498	2312469	9423323127
7.	Mr. Pundalik Khorjuvekar, Dy. Collector & Sub-Divisional Magistrate, Bardez, Mapusa.	2262038 2250398	2262038	9420595095
8.	Mr. Mahadev Araundekar, Dy. Collector & Sub-Divisional Magistrate, Bicholim.	2362058 2360254	2362058	9422451995
9.	Mr. Narayan Gad, Dy. Collector & Sub-Divisional Magistrate, Pernem.	2201142	2201142	8308106622

## OFFICIAL GAZETTE — GOVT. OF GOA

SERIES II No. 11

11TH JUNE, 2015

1	2	3	4	5
10.	Mr. Ajit Panchawadkar, Dy. Collector & Sub-Divisional Magistrate, Salcete, Margao.	2794145	-	9011910123
11.	Mr. Gaurish Shankwalkar, Dy. Collector & Sub-Divisional Magistrate, Mormugao, Vasco	2512688 2500565	2512688	9822588399
12.	Mr. Shankar Gaonkar, Dy. Collector & Sub-Divisional Magistrate, Quepem.	2662228 2662241	2662228	9822230310
13.	Mr. Chandrakant Shetkar, Dy. Collector & Sub-Divisional Magistrate, Canacona.	2643696	2643696	9922356241
14.	Mr. Sagun R. Velip, Dy. Collector & Sub-Divisional Magistrate, Dharbandora.	2614036	2614037	9850470146
15.	Mr. Umesh Gaonkar, Superintendent of Police (North Goa) Panaji.	2416100	2416243	7875756011
16.	Mr. Shekhar Prabhudesai, Superintendent of Police (South Goa), Margao.	2732218	2733864	7875756009
17.	Mr. Serafin Dias, Sub-Divisional Police Officer, Tiswadi, Panaji.	2226519	2226519	7875756021
18.	Mr. Dinraj R. Govenker, Sub-Divisional Police Officer, Ponda.	2317978	2317978	7875756035
19.	Mr. Mohan Naik, Sub-Divisional Police Officer, Salcete, Margao.	2714449 2714449	2714449	7875756038
20.	Mr. Lawrence D'Souza, Sub-Divisional Police Officer, Mormugao, Vasco.	2500222	2500222	7875756048
21.	Mr. Mahesh Gaonkar, Sub-Divisional Police Officer, Mapusa-I for Pernem, Mapusa & Anjuna Police Stations.	2262207	2262207	7875756025
22.	Mr. Nelson Albuquerque, Sub-Divisional Police Officer, Mapusa-II for Calangute & Porvorim Police Stations.	2412723	2412723	7875756029
23.	Mr. Subhash R. Goltekar, Sub-Divisional Police Officer, Quepem.	2663900	2663900	7875756043
24.	Mr. Gajanan Prabhudesai, Sub-Divisional Police Officer, Bicholim.	2363737	2363737	7875756032

This order shall supersede the Order No. 7/4/98/STE-DIR/Part I/223 dated 20-05-2015.

*Srinet N. Kothwale*, Director & ex officio Jt. Secretary (Environment).

Saligao, 1st June, 2015.



Department of Finance  
(Revenue & Control Division)

—  
Order

No. 3/1/2009-Fin(R&C)(2)

In exercise of the powers conferred by sub-section (3) of Section 5 of the Goa Entertainment Tax Act, 1964 (Act No. 2 of 1964), the Government of Goa, is pleased to exempt the Konkani Regional film "NACHOM-IA KUMPASAR" from the liability of payment of entertainment tax in whole, when screened in any of the theatres in the State of Goa for a further period of three months from 16th June, 2015.

By order and in the name of the Governor of Goa.

Sd/- (Ajit S. Pawaskar), Under Secretary, Finance (R&C).

Porvorim, 8th June, 2015.

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Department of Fisheries

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Order

No. 2-1-81-FSH

In exercise of the powers conferred by sub-sections (1) and (2) of Section 4 of the Goa, Daman and Diu Marine Fishing Regulation Act, 1980 (Act No. 3 of 1981), the Government of Goa, having regard to the need to conserve fish, hereby prohibits fishing by fishing vessels fitted with mechanical means of propulsion and by means of trawl-nets and purse-seine net, except fishing by registered motorized canoes using gill nets only, and fitted with outboard or inboard motors of upto 10 HP capacity, as a means of propulsion, along the sea coast of the State of Goa and the territorial waters of the State of Goa, with effect from 1st June, 2015 till 31st July, 2015 (both days inclusive).

By order and in the name of the Governor of Goa.

Dr. Smt. *Shamila Monteiro*, Director & ex officio Joint Secretary (Fisheries).

Panaji, 25th May, 2015.

Department of Forest

—  
Order

No. 4-2-2001-02/FOR/100

Government is pleased to extend the term of ad hoc promotion of Shri A. G. Samant, Assistant Conservator of Forests for a further period of six months w.e.f. 04-09-2014 to 03-03-2015 or till the post is filled on regular basis, whichever is earlier.

By order and in the name of the Governor of Goa.

*Fransquinha Oliveira*, Under Secretary (Forests).

Porvorim, 28th April, 2015.

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Order

No. 4-3-2014/FOR/106

Read: Order No. 4-3-2014/FOR dated 26-8-2014.

Government is pleased to extend the term of ad hoc promotion of Shri Milind V. Karkhanis, Dy. Conservator of Forests for a further period of one year w.e.f. 30-11-2014 to 29-11-2015 in the pay scale of Rs. 15,600-39,100+ Grade Pay of Rs. 6,600/-.

This issues with the recommendation of the Goa Public Service Commission conveyed vide their letter No. COM/II/11/22(2)/2014/80 dated 15-04-2015.

By order and in the name of the Governor of Goa.

*Neela S. Dharwadkar*, Under Secretary (Forests).

Porvorim, 11th May, 2015.

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Department of General Administration

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Notification

No. 26/1/88-GAD/251

Read: 1) Government Notification No. 26/1/88-GA&C dated 29-08-1996.

2) Government Notification No. 26/1/88-GA&C dated 24-11-2003.

3) Government Notification No. 26/1/88-GA&C dated 04-07-2013.

Consequent upon posting of selection Grade Officer of Goa Civil Service as Director of Vigilance vide Order No. 6/4/91-PER (Part III) B dated 20-09-2013, the Government of Goa is pleased to declare the Director of Vigilance as ex officio Addl. Secretary to Government with immediate effect.

Consequently, the ex officio status accorded to the post of Addl. Director of Vigilance and Dy. Director of Vigilance stands withdrawn.

By order and in the name of the Governor of Goa.

*Prashant P. Shirodkar*, Under Secretary (GA-I).  
Porvorim, 29th April, 2015.

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Department of Goa Gazetteer

—  
Order

No. 2/3/2013-GGEB-850/140

Read: Memorandum No. 2/3/2013-GGEB-850/94 dated 27-10-2014.

On the recommendation of the Departmental Promotion Committee as conveyed by the Goa Public Service Commission vide their letter No. COM/I/5/23(2)/2013/752 dated 7th October, 2014, the Government is pleased to appoint Shri Sameer Suresh Zantye on temporary basis to the post of Assistant Research Officer, Group 'B', Gazetted in the pay of Rs. 9,300-34,800+ Grade Pay of Rs. 4,200/- in the Goa Gazetteer Department with immediate effect.

Shri Sameer Suresh Zantye has been declared fit by the Medical Board of Goa Medical College. His character and antecedents have been verified by the concerned authority.

Shri Sameer Suresh Zantye will be on probation for a period of two years.

The expenditure on his pay and allowances shall be debited to the Budget Head of Accounts as follows:

Demand No. 79.

- 3454 — Census, Surveys & Statistics;
- 02 — Surveys & Statistics;
- 110 — Gazetteer & Statistical Memoirs;
- 02 — Gazetteer Unit (Non-Plan);
- 01 — Salaries.

By order and in the name of the Governor of Goa.

*Manohar L. Dicholkar*, Executive Editor & ex officio Joint Secretary.

Panaji, 8th December, 2014.

Addendum

No. 2/3/2013-GGEB-850/321

Read: Order No. 2/3/2013-GGEB-850-140 dated 8th December, 2014.

The first para of the Order may be read as under:

On the recommendation of the Goa Public Service Commission vide their letter No. COM/I/5/23(2)/2013/752 dated 7th October, 2014, the Government is pleased to appoint Shri Sameer Suresh Zantye on temporary basis to the post of Assistant Research Officer, Group 'B', Gazetted in the pay of Rs. 9,300-34,800+ Grade Pay 4,200/- in the Goa Gazetteer Department with immediate effect.

By order and in the name of the Governor of Goa.

*Manohar L. Dicholkar*, Executive Editor & ex officio Joint Secretary.

Panaji, 27th April, 2015.

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Goa Human Rights Commission

Proceeding No. 132/2013

Inquiry Report

Taking *suo-motu* cognizance of the matter on the basis of newspaper report which appeared in the local daily "The Navhind Times" dated 19-07-2013 under the caption "Vithalapur steel footbridge in need of urgent repairs", this Commission felt that there is immediate danger to the lives of residents of the locality who are using the said footbridge in the event the said footbridge collapses.

2. The Commission, therefore recommended to the State Government to take immediate steps either to carry out immediate repairs to the said footbridge or replace the same so as to avoid danger to the lives of the residents of the locality.

3. The Executive Engineer, Works Division XXIII, PWD, Bicholim submitted his report on behalf of the Respondent inter alia stating therein that as per the site inspection conducted by him and also by Superintending Engineer, Circle III, the footbridge is quite safe for pedestrian traffic. In the report it is also stated that during monsoon, some vegetation has grown on the abutments supporting the bridge which has resulted in minor cracks. It is stated that the abutments will be cleared after the recession of



the rain and plastering with cement mortar will be taken up. It is also stated that jacketing with cement concrete is also proposed to prevent erosion of the abutment foundation.

4. The Police Inspector Shri Kiran Poduval, attached to this Commission was directed to verify the statement made on behalf of the Respondent and submit his report. Accordingly P. I. has filed his report. In his report the Police Inspector has stated that after carrying out site inspection of Vithalapur steel footbridge with the assistance of PWD officials, it is observed that the said steel bridge is in good condition, sturdy and very safe for pedestrian traffic as of now. It is further stated that the Assistant Engineer, Shri Ganpat Sidhaye of PWD, Works Div. XXIII assured that the abutment will be cleaned after recession of the rain and plastering with cement mortar will be taken up. He also stated in his report that the Assistant Engineer has also proposed to his Superiors regarding jacketing with cement concrete to prevent erosion of abutment foundation of the foot bridge.

5. We have gone through the report filed on behalf the Respondent and also the report of P. I. Shri Kiran Poduval and we are satisfied that the foot bridge is in good condition and safe for pedestrian traffic as of now.

6. In view of the above, the Commission has made the following recommendations:

1. The abutment shall be cleared after the recession of rain and plastering with cement should be taken up.
2. Jacketing with cement concrete shall be done to prevent erosion of abutment foundation.
3. Periodical repairs shall be carried out to the bridge to keep it in safe condition.

Date: 19-09-2013.

Place: Panaji

*A. D. Salkar*  
Member  
Goa Human Rights  
Commission

*J. A. Keny*  
Member  
Goa Human Rights  
Commission

No. F. 9/14-15/ASW/WDXXIII/PWD/2846  
Government of Goa,  
Office of the Executive Engineer,  
Works Division XXIII, PWD,  
Bicholim-Goa.  
Date:-23-04-2015.

Before the Human Rights Commission, Panaji-Goa.  
Proceeding No.132/2013

Executive Engineer  
Works Division XXIII, PWD  
Bicholim-----  
Respondent

Your Honour,

With reference to your directives pertaining to the foot bridge of Vithalapur at Sankhali the respondents respectfully states that:

- 1) Work order for repairs to the foot bridge has been issued namely "Repairs to abutment of Foot Bridge at Valvanti in V. P. Karapur in Mayem Constituency" vide work order No. - W-2/2014-15/PWD/WDXXIII/Accts/Mayem-101 dated 25-11-2014.
- 2) The work is awarded to M/s. Taramati Construction Dattawadi, Sankhali Goa. The stipulated date of commencement and completion are 05-12-2014 and 04-03-2015 respectively.
- 3) Now 75% of the work is completed. The work consists of underwater concreting which can be executed only after water level is subsidized.
- 4) As per the information available the water level will subsidize only at the end of May 2015. The balance work will be completed as soon as the site conditions are favorable. At present no work can be executed at the site of work. This status report is submitted as per the directions issued by the Hon'ble Commission.

*K. G. Radhakrishnan*, Executive Engineer, WD XXIII, PWD, Bicholim-Goa.

Submitted.

Department of Labour

Order

No. 24/16/2015-LAB/438

In pursuance of the directives of Hon'ble Supreme Court of India incorporated in the Order dated 18-04-2011 in respect of Writ Petition No. 51/2006 Bachpan Bachao Andolan v/s Union of India & Others, the Government of Goa hereby constitutes a State Monitoring Committee as follows:

- 1) The Chief Secretary — Chairperson.
- 2) The Secretary Incharge of Child and Women Development — Member.

3) Director of Health Services — Member.

4) Commissioner of Police of the State — Member.

5) Dr. Pundalik R. Pai Kakode, — Member.  
Psychiatrist

6) Dr. Peter R. Castelino, — Member.  
Psychiatrist

(Psychiatrists nominated by the Indian Psychiatric Society).

(1) The Committee shall take measures for the purpose of preventing child labour. (2) The Committee shall hold periodical review meeting to evaluate the steps taken for prevention of child labour in Goa. (3) The Committee shall also be empowered to issue instructions to the concerned Departments about discharging their statutory functions in respect of prevention of child labour.

By order and in the name of the Governor of Goa.

*Shashank V. Thakur*, Under Secretary (Labour).

Porvorim, 15th April, 2015.

#### Order

No. 24/16/2006-LAB/439

In pursuance of the directives of Hon'ble Supreme Court of India incorporated in the Order dated 18-04-2011 in respect of Writ Petition No. 51/2006 Bachpan Bachao Andolan v/s Union of India & Others, the Government of Goa hereby constitutes District Level Committee at North Goa and South Goa as follows:

#### North Goa

1) The Additional Collector — Chairperson.  
(North)

2) Deputy Labour Commissioner — Member.  
(North)

3) Superintendent of Police — Member.  
(North)

4) Chief Inspector of Factories — Member.  
& Boilers/any official  
nominated by him

5) Dy. Director of Health (North) — Member.

6) Two persons from Civil  
Society/NGO:

1) Divya Raphael-City — Member.  
co-ordinator, Childline

2) Suzana Desouza-Centre — Member.  
co-ordinator, Caritas

#### South Goa

1) The Additional Collector — Chairperson.  
(South)

2) Deputy Labour Commissioner — Member.  
(South)

3) Superintendent of Police — Member.  
(South)

4) Chief Inspector of Factories — Member.  
& Boilers/any official  
nominated by him

5) Dy. Director of Health (South) — Member.

6) Two persons from Civil  
Society/NGO:

1) Vijayshree Irrekar, — Member.  
Sr. Programme Manager,  
ARZ

2) Juliana Lohar, — Member.  
Co-ordinator, ARZ

The Committee shall carry out inspections of establishments wherever incidence of forced employment of children is suspected. The Committee shall review the process periodically and submit a report to Secretary, Women and Child Development.

By order and in the name of the Governor of Goa.

*Shashank V. Thakur*, Under Secretary (Labour).

Porvorim, 15th April, 2015.

#### Order

No. 24/25/2013-Lab-ESI/463

Read: Memorandum No. 24/25/2013-Lab-ESI/67 dated 24-01-2014.

On the recommendation of the Goa Public Service Commission as conveyed vide their No. COM/I/5/28(1)/2012/741 dated 24-09-2014, Government is pleased to appoint following 6 candidates to the post of Insurance Medical Officer (Group 'A', Gazetted) under the E.S.I. Scheme in Labour Department on temporary basis on an initial basic pay of Rs. 15,600-39,100+ 5,400/- Grade Pay, and as per the terms and conditions contained in the Memorandum cited above, with immediate effect:

#### Name of the candidate

General Category

1. Dr. Kartavi Umesh Mashelkar.
2. Dr. Kimya Kedar Mahatme.

## OBC Category

3. Dr. Naresh Suresh Fadte.
4. Dr. Grishma Umesh Mayekar.

## ST Category

5. Dr. Christalina Peixoto.
6. Dr. Sissy Colaco.

They shall be entitled to all other allowances as admissible under the Rules.

The above candidates have been declared medically fit by the Medical Board and their character and antecedents have been verified by the respective District Magistrates.

The above candidates shall be on probation for a period of two years from the date of appointment.

The expenditure shall be debited to the Budget Head: 2210—Medical and Public Health; 01—Urban Health Services Allopathy; 102—Employees State Insurance Scheme; 01—Implementation of Employees State Insurance Scheme (Plan); 01—Salaries.

The posting order will be issued separately.

By order and in the name of the Governor of Goa.

*Shashank V. Thakur*, Under Secretary (Labour).  
Porvorim, 24th April, 2015.

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**Order**

No. 28/51/2014-Lab/464

Whereas the Government of Goa is of the opinion that an industrial dispute exists between the management of the People's Higher Secondary School, Rua De Qurem, Mala, Panaji, Goa, and its workmen, represented by the Higher Secondary and College Attendants Association of Goa, in respect of the matter specified in the Schedule hereto (hereinafter referred to as the "said dispute");

And whereas the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) (hereinafter referred to as the "said Act"), the Government of Goa hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa at Panaji-Goa, constituted under Section 7-A of the said Act.

## SCHEDULE

- "(1) Whether the action of the management of the People's Higher Secondary School, Rua De Qurem, Mala, Panaji, Goa, in refusing to concede the following demands of its workmen, represented by the Higher Secondary and College Attendants Association of Goa, is legal and justified?

**Charter of Demands**

- (i) Laboratory Attendants and Library Attendants in Higher Secondary School should be granted vacation as is granted to Laboratory Assistants and Librarian every year as per rules.
  - (ii) Laboratory Attendants should be allotted duties only in laboratories and Library Attendants should be allotted duties only in libraries as per rules.
  - (iii) The working hours for Laboratory Attendants and Library Attendants should be 6 hours and 30 minutes every day as per rules. Beyond 6 hours and 30 minutes work, Laboratory Attendants and Library Attendants should be paid overtime at the rate of double the gross wages paid for that day. This overtime should be paid retrospectively from the date of joining till date this issue is settled.
  - (iv) Laboratory Attendants and Library Attendants should be treated as Group C employees as per rules.
  - (v) Laboratory Attendants should be provided lab coats and lab safety shoes while at work.
- (2) If the answer to issue No. (1) above is in the negative, then, what relief the workmen are entitled to?"

By order and in the name of the Governor of Goa.

*Shashank V. Thakur*, Under Secretary (Labour).  
Porvorim, 24th April, 2015.

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**Order**

No. 24/7/2014-Lab-ESI/468

Whereas, Dr. Manuelinha Faleiro has been appointed against the post of Insurance Medical Officer under Employee's State Insurance Scheme vide Order No. 24/25/2013-Lab-ESI/164 dated 28-02-2014.

And whereas, Dr. Manuelinha Faleiro was working as Medical Officer under the Directorate of Health Services prior to joining the above post in the pre-revised pay scale of Rs. 8,000-275-13,500+N. P. A.

And whereas, Dr. Manuelinha Faleiro tendered her technical resignation from the post of Medical Officer under D.H.S. and same was accepted vide Order No. 44/11/2006-I/PHD dated 26-3-2014.

And whereas, Dr. Manuelinha Faleiro, Insurance Medical Officer has requested for pay protection vide letter dated 28-4-2014.

Now therefore, Government is pleased to protect the pay of Dr. Manuelinha Faleiro, Insurance Medical Officer, of her last basic pay of Rs. 21,330/- in the pay scale of Rs. 15,600-39,100+ Rs. 5,400/- in terms of F.R.22 (1) (a) (1) read with F. R. 27.

This issues with the concurrence of Finance (Rev. & Cont.) Department vide their U. O. No. 1496192 dated 20-04-2015.

By order and in the name of the Governor of Goa.

*Shashank V. Thakur*, Under Secretary (Labour).  
Porvorim, 28th April, 2015.

#### Order

No. 28/49/2014-Lab/475

Whereas the Government of Goa is of the opinion that an industrial dispute exists between the management of the Mustifund Higher Secondary School, Panaji, Goa, and it's workmen, represented by the Higher Secondary and College Attendants Association of Goa, in respect of the matter specified in the Schedule hereto (hereinafter referred to as the "said dispute");

And whereas the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) (hereinafter referred to as the "said Act"), the Government of Goa hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa at Panaji-Goa, constituted under Section 7-A of the said Act.

#### SCHEDULE

- "(1) Whether the action of the management of the Mushtifund Higher Secondary School, Panaji, Goa, in refusing to concede the following demands of the workmen,

represented by the Higher Secondary and College Attendants Association of Goa, is legal and justified?

#### Charter of Demands

- (i) Laboratory Attendants and Library Attendants in Higher Secondary School should be granted vacation as is granted to Laboratory Assistants and Librarian every year as per rules.
- (ii) Laboratory Attendants should be allotted duties only in laboratories and Library Attendants should be allotted duties only in libraries as per rules.
- (iii) The working hours for Laboratory Attendants and Library Attendants should be 6 hours and 30 minutes every day as per rules. Beyond 6 hours and 30 minutes work, Laboratory Attendants and Library Attendants should be paid overtime at the rate of double the gross wages paid for that day. This overtime should be paid retrospectively from the date of joining till date this issue is settled.
- (iv) Laboratory Attendants and Library Attendants should be treated as Group C employees as per rules.
- (v) Laboratory Attendants should be provided Lab Coats and Lab Safety Shoes while at work.
- (2) If the answer to issue No. (1) above is in the negative, then, what relief the workmen are entitled to?"

By order and in the name of the Governor of Goa.

*Shashank V. Thakur*, Under Secretary (Labour).  
Porvorim, 24th April, 2015.

#### Order

No. 28/52/2014-Lab/477

Whereas the Government of Goa is of the opinion that an industrial dispute exists between the management of the Fr. Agnel Higher Secondary School, Pilar, Goa, and it's workmen, represented by the Higher Secondary and College Attendants Association of Goa, in respect of the matter specified in the Schedule hereto (hereinafter referred to as the "said dispute");

And whereas the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) (hereinafter referred to as the “said Act”), the Government of Goa hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa at Panaji-Goa, constituted under Section 7-A of the said Act.

#### SCHEDULE

- “(1) Whether the action of the management of the Fr. Agnel Higher Secondary School, Pilar, Goa, in refusing to concede the following demands of the workmen, represented by the Higher Secondary and College Attendants Association of Goa, is legal and justified?

#### Charter of Demands

- (i) Laboratory Attendants and Library Attendants in Higher Secondary School should be granted vacation as is granted to Laboratory Assistants and Librarian every year as per rules.
  - (ii) Laboratory Attendants should be allotted duties only in laboratories and Library Attendants should be allotted duties only in libraries as per rules.
  - (iii) The working hours for Laboratory Attendants and Library Attendants should be 6 hours and 30 minutes every day as per rules. Beyond 6 hours and 30 minutes work, Laboratory Attendants and Library Attendants should be paid overtime at the rate of double the gross wages paid for that day. This overtime should be paid retrospectively from the date of joining till the date this issue is settled.
  - (iv) Laboratory Attendants and Library Attendants should be treated as Group C employees as per rules.
  - (v) Laboratory Attendants should be provided Lab Coats and Lab Safety Shoes while at work.
- (2) If the answer to issue No. (1) above is in the negative, then, what relief the workmen are entitled to?”

By order and in the name of the Governor of Goa.

*Shashank V. Thakur*, Under Secretary (Labour).  
Porvorim, 24th April, 2015.

#### Order

No. 28/7/2015-Lab/478

Whereas the Government of Goa is of the opinion that an industrial dispute exists between the management of the S. S. Samiti's Higher Secondary School of Science, Kavale, Ponda, Goa, and it's workmen, represented by the Higher Secondary and College Attendants Association of Goa, in respect of the matter specified in the Schedule hereto (hereinafter referred to as the “said dispute”);

And whereas the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) (hereinafter referred to as the “said Act”), the Government of Goa hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa at Panaji-Goa, constituted under Section 7-A of the said Act.

#### SCHEDULE

- “(1) Whether the action of the management of the S. S. Samiti's Higher Secondary School of Science, Kavale, Ponda, Goa, in refusing to concede the following demands of it's workmen, represented by the Higher Secondary and College Attendants Association of Goa, is legal and justified?

#### Charter of Demands

- (i) Laboratory Attendants and Library Attendants in Higher Secondary School should be granted vacation as is granted to Laboratory Assistants and Librarian every year as per rules.
- (ii) Laboratory Attendants should be allotted duties only in laboratories and Library Attendants should be allotted duties only in libraries as per rules.
- (iii) The working hours for Laboratory Attendants and Library Attendants should be 6 hours and 30 minutes every day as per rules. Beyond 6 hours and 30 minutes work, Laboratory Attendants and Library Attendants should be paid overtime at the rate of double the gross wages paid for that day. This overtime should be paid retrospectively from the date of joining till date this issue is settled.



- (iv) Laboratory Attendants and Library Attendants should be treated as Group C employees as per rules.
- (v) Laboratory Attendants should be provided Lab Coats and Lab Safety Shoes while at work.
- (2) If the answer to issue No. (1) above is in the negative, then, what relief the workmen are entitled to?"

By order and in the name of the Governor of Goa.

*Shashank V. Thakur*, Under Secretary (Labour).  
Porvorim, 24th April, 2015.

#### Order

No. 24/2/2014-Lab-ESI/483

Whereas, Dr. Laura C. B. D'Souza has been appointed against the post of Insurance Medical Officer under Employee's State Insurance Scheme vide Order No. 24/25/2013-Lab-ESI/164 dated 28-02-2014.

And whereas, Dr. Laura C. B. D'Souza was working as Assistant Lecturer, Department of Casualty in Goa Medical College prior to joining the above post in the P. B.—3, Rs. 15,600-39,100+ 5,400/-.

And whereas, Dr. Laura C. B. D'Souza tendered her technical resignation from the post of Assistant Lecturer, Department of Casualty in G.M.C. and same was accepted vide Order No. 2/7/2009-II/PHD dated 30-5-2014.

And whereas, Dr. Laura C. B. D'Souza, Insurance Medical Officer has requested for pay protection vide letter dated 02-6-2014.

Now therefore, Government is pleased to protect the pay of Dr. Laura C. B. D'Souza, Insurance Medical Officer, of her last basic pay of Rs. 18,950/- in the pay scale of Rs. 15,600-39,100+ Rs. 5,400/- in terms of F.R. 22 (1) (a) (1) read with F. R. 27.

This issues with the concurrence of Finance (Rev. & Cont.) Department vide their U. O. No. 1493274 dated 17-04-2015.

By order and in the name of the Governor of Goa.

*Shashank V. Thakur*, Under Secretary (Labour).  
Porvorim, 5th May, 2015.

#### Notification

No. 28/1/2015-Lab/Part-I/493

The following award passed by the Labour Court-II, at Panaji-Goa on 02-03-2015 in reference No. LC-II/IT/14/2013 is hereby published as required by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

*Shashank V. Thakur*, Under Secretary (Labour).  
Porvorim, 6th May, 2015.

IN THE LABOUR COURT-II  
GOVERNMENT OF GOA  
AT PANAJI

(Before **Shri Suresh N. Narulkar**, Hon'ble  
Presiding Officer

Case No. Ref. LC-II/IT/14/2013

Shri Sandesh Naik, ... Workman/Party I  
R/o. Dutolem, Madkaim,  
Ponda-Goa.

V/s

M/s. Luis Azavedo, ... Employer/Party II  
Aryana, Plot No. 6,  
Zingdimol, Curti,  
Ponda-Goa

Workman/Party I remained absent.

Employer/Party II represented by Adv. Shri P. J. Kamat.

Panaji, dated 2-3-2015.

#### AWARD

1. In exercise of the powers conferred by Clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Government of Goa, by Order dated 02-05-2013, bearing No. 28/19/2013-Lab/215, referred the following dispute for adjudication to the Industrial Tribunal of Goa. The Hon'ble Presiding Officer, Industrial Tribunal-cum-Labour Court thereafter assigned the present reference for its adjudication to the Labour Court-II, vide her order dated 07-05-2013.

- "(1) Whether the action of the management of M/s. Luis Azavedo, Curti, Ponda-Goa in retrenching Shri Sandesh S. Naik, supervisor, with effect from 02-08-2012, is legal and justified?
- (2) If not, what relief the workman is entitled to?"

2. On receipt of the reference a case was registered under No. LC-II/IT/14/2013 and registered A/D notices were issued to the Parties. In pursuance of the said notices, the Parties put in their appearance. The workman/Party I (for short, "Workman") filed his Statement of Claim at Exhibit-5. The facts of the case in brief as pleaded by the Workman are that he was employed with M/s. Rajshi Oil Dealers as an 'Office Assistant' w.e.f. 01-01-1999. He stated that he was carrying out the duties which were predominantly of clerical in nature under the supervision, control and instructions of the Employer M/s. Rajshi Oil Dealers, Curti, Ponda, Goa. He stated that he was paid a monthly salary of Rs. 10,500/- which included a daily bhatta of Rs.50/- per day. He stated that the bhatta charges was paid to him at the end of the month by adding to his monthly salary. He stated that he was paid salary by M/s. Rajshi Oil Dealers till November, 2010. He stated that he was working for M/s. Rajshi Oil Dealers at Curti, Ponda, Goa since 1992 onwards continuously without break in service. He stated that somewhere in the month of December, 2010, the management of M/s. Rajshi Oil Dealers orally told him that his services stand transferred to the Employer/Party II (for short, "Employer") with continuity in services for all legal and practical purposes. He stated that he had requested M/s. Rajshi Oil Dealers to give him a written letter to this effect, which was declined by them.

3. He stated that when he joined the Employer, no letter of appointment nor any dues were paid to him by M/s. Rajshi Oil Dealers. He stated that he was informed that his entire responsibility would be taken over by the Employer for all legal and practical purposes. He stated that on 02-08-2012 i.e. after working for one year and nine months, the management of the Employer summarily terminated his services without assigning any justified reason of whatsoever nature. He stated that the Employer is still continuing its business and no circumstances has arisen for the Employer to terminate his services w.e.f. 02-08-2012. He stated that his services has been taken over from M/s. Rajshi Oil Dealer by the management of the Employer w.e.f. December, 2010 and thereafter his monthly salary is being paid by the Employer. He stated that the business of M/s. Rajshi Oil Dealer has been taken over by the Employer and his services also been continued by the management of the Employer and the business is in continuous operation. He submitted that he is therefore entitled for immediate reinstatement, full back wages and continuity in services in the services of the Employer.

4. He submitted that a cheque was sent to him by the Employer. He stated that he has accepted the said cheque under protest, reserving his right to dispute and challenge the termination of his services. He submitted that from the date of his illegal termination, he is unemployed and is facing severe hardships and difficulties in maintaining himself and his family. The Workman therefore prayed that the action of the management of M/s. Rajshi Oil Dealer and the Employer in terminating his services w.e.f. 02-08-2012 be held as illegal, unjustified and bad-in-law and he be reinstated back in service of the Employer with full back wages, continuity in service and all other consequential benefits.

5. The Employer resisted the claim of the Workman by filing their written statement on 29-11-2013 at Exb.6. The Employer, by way of preliminary objection submitted that the reference is not maintainable as they are not the Employer of the Workman and that the reference is made to the Industrial Tribunal of Goa constituted under Section 7-A of the I.D. Act, 1947 and as such this Labour Court has no jurisdiction to entertain and decide the same.

6. The Employer stated that the Workman was employed by M/s. Rajshi Oil Dealers w.e.f. 01-01-1999 till 14-12-2010. The Employer stated that the Workman was temporarily appointed by them from April, 2011 to 31-07-2012. The Employer admitted that the Workman was last paid his monthly salary of Rs.10,500/-. The Employer however denied that the said salary included a daily bhatta of Rs.50/-. The Employer however, denied that the management of M/s. Rajshi Oil Dealers orally told the Workman that his services stands transferred to their establishment with continuity in service for all legal and practical purposes as alleged.

7. The Employer stated that M/s. Rajshi Oil Dealers was a Partnership Firm between late Smt. Renu Joshi and late Smt. Sheela Kapur based in Ponda, Goa, who expired on 14-12-2010 and 14-09-2010 respectively. The Employer stated that on account of death of both the partners, the Partnership Firm namely, M/s. Rajshi Oil Dealers stood to be dissolved by default. The Employer stated that the ex-employees of M/s. Rajshi Oil Dealers were paid wages from December, 2010 to April, 2011 by Ms. Ila Vedi solely from her personal account on compassionate and humanitarian grounds. The Employer stated that Ms. Ila Vedi is the last surviving family member of Mrs. Sheela Kapur and Mrs. Renu Joshi, deceased partners of

M/s. Rajshi Oil Dealers. The Employer stated that Ms. Ila Vedi was never a business partner of M/s. Rajshi Oil Dealers and had no legal obligation to re-employ the employees of M/s. Rajshi Oil Dealer on the demise of Mrs. Renu Joshi, the last surviving partner of M/s. Rajshi Oil Dealers.

8. The Employer stated that M/s. Rajshi Oil Dealers was the authorized dealer of wholesale kerosene supply and the wholesale quota was allotted directly by M/s. Indian Oil Corporation Limited. The Employer stated that Smt. Renu Joshi was allotted the retail quota of kerosene by the Directorate of Civil Supplies and Price Control, Government of Goa under her name. The Employer stated that the Indian Oil Corporation Limited, vide its letter dated 15-12-2010 informed the Directorate of Civil Supplies and Price Control, Government of Goa, Panaji and M/s. Rajshi Oil Dealers, thereby suspending wholesale kerosene quota supplied to M/s. Rajshi Oil Dealer till such time, the legal heirs were identified and the dealership is reconstituted and hence no wholesale kerosene quota was allotted by I.O.C.L. to M/s. Rajshi Oil Dealer w.e.f. 15-12-2010. The Employer stated that M/s. Rajshi Oil Dealer ceased to operate as a wholesale kerosene dealer from 15-12-2010 as the partnership stood dissolved on the deaths of both the partners on 14-12-2010. The Employer stated that the kerosene retail license under the name of Smt. Renu Joshi also stood suspended w.e.f. 15-12-2010.

9. The Employer stated that the Employer recommended the retail sale of kerosene under the trade name of M/s. Luis Azavedo in April, 2011. The Employer stated that even though it was not obliged under the law to accommodate/ re-employ the ex-employee of M/s. Rajshi Oil Dealers, the Workman and other employees were offered job on a temporary basis by them in its retail outlet. The Employer stated that inspite of best efforts by Ms. Ila Vedi, the wholesale kerosene dealership as of today has not been reinstated. The Employer stated that the retail kerosene quota within its retail dealership was reduced from 10,000 litres as in April, 2011 to 2,900 litres approximately in May, 2012 by the Directorate of Civil Supplies, Government of Goa.

10. The Employer stated that it has assessed that it was not financially viable for them to sustain the existing resources in the retail business of kerosene from August, 2012 due to aforesaid reasons. The Employer stated that in July, 2012, Ms. Ila Vedi informed the Workman and other employees that due to recent unforeseen

circumstances beyond their control, it was not financially viable for them to continue to sustain its employees on full time basis. The Employer stated that the Workman and other employees were offered employment by them on reduced wages and working hours (as an alternative to retrenchment) as it was not viable for them to pay the same wages as paid by M/s. Rajshi Oil Dealers. The Employer stated that he subsequently discussed various options with the Workman and other employees so as to avoid retrenchment. The Employer stated that the Workman refused to accept the new reduced salary package as offered, but one employee accepted the new salary package and another employee chose to retire. The Employer stated that on 03-08-2012, the Workman was issued a letter of retrenchment and was paid his monthly wage of July, 2012 in addition to an amount of Rs.1,10,000/- towards retrenchment compensation and other dues. The Employer stated that the Workman encashed the said cheque as per the bank statement of Ms. Ila Vedi which were paid from her personal account.

11. The Employer stated that the retrenchment of the workman was on account of wholesale dealership suspended by I.O.C.L. since December, 2010 and not restored thereafter on account of which the establishment of M/s. Rajshi Oil Dealer is closed and non-viability of the retail dealership due to drastic reduction of the retail quota. The Employer submitted that the action of the Employer in retrenching the workmen w.e.f. 02-08-2012 is legal, justified and bonafide. The Employer denies the overall case as pleaded by the Workman in his claim statement and prayed for dismissal of the present reference.

12. Thereafter, the Workman filed his re-joinder on 14-01-2014 at Exb. 7. The Workman, by way of her Re-joinder reiterates and confirms all his statements, averments and submissions made by him in his claim statement to be true and correct and denies all statements and averments made by the Employer in their Written Statement dated 29-11-2013, which are contrary and inconsistent to the statements and averments made by him. The Workman submitted that the Employer has first terminated his services w.e.f. 02-08-2012 and subsequently, as an afterthought defense, the Employer has taken a stand that it is a case of retrenchment.

13. Based on the pleadings filed by the respective parties, this court framed the following issues on 29-01-2014 at Exb. 8.



1. Whether the Workman/Party I proves that he was working for the Employer/Party II since the year 1992?
  2. Whether the Workman/Party I proves that his services were transferred by M/s. Rajshi Oil Dealers, Ponda-Goa to the Employer/Party II for all legal and practical purpose w.e.f. December, 2010?
  3. Whether the Workman/Party I proves that the action of the Employer/Party II in retrenching him from their services w.e.f. 02-08-2012 is illegal and unjustified?
  4. Whether the Employer/Party II proves that the reference is not maintainable in view of the allegations made in para 2 (b) of its Written Statement?
  5. Whether the Employer/Party II proves that they had validly retrenched the Workman w.e.f. 03-08-2012?
  6. Whether the Workman/Party I proves that he is entitled to any relief?
  7. What Order? What Award?
14. My findings to the aforesaid issues are as under:
- (a) Issue No. 1 : In the negative.
  - (b) Issue No. 2 : In the negative.
  - (c) Issue No. 3 : In the negative.
  - (d) Issue No. 4 : In the negative.
  - (e) Issue No. 5 : In the negative.
  - (f) Issue No. 6 : In the negative.
  - (g) Issue No. 7 : As per final order.

#### REASONS

15. *Issue Nos. 1 to 6:* I have carefully perused the entire records of the present case including the synopsis of written arguments filed on behalf of the Employer. I have also carefully considered the various written submissions made by the Ld. Adv. Shri P. J. Kamat appearing for the Employer.

16. In the case in hand, the Government of Goa has referred the present dispute for its adjudication to the Industrial Tribunal of Goa. The Hon'ble Presiding Officer, Industrial Tribunal-cum-Labour Court, Panaji-Goa, in turn assigned the present reference for its adjudication to this Labour Court II, vide her order dated 07-05-2013. Initially, the Workman was represented by Adv. Shri Suhas Naik. The Workman has also filed his pleadings. Thereafter, based on the pleadings filed by the respective parties, this court framed certain issues on 29-01-2014 and the matter was fixed for filing

affidavit in evidence of the Workman. The Workman was also given several opportunities to file his affidavit-in-evidence. On 23-12-2014, Ld. Adv. Shri Suhas Naik appearing for the Workman filed an application for withdrawal of his appearance which was allowed, vide order dated 23-12-2014. Accordingly, Ld. Adv. Shri Suhas Naik was discharged from appearing on behalf of Workman and case was adjourned to 16-01-2015 as an opportunity to the Workman to lead evidence by filing his affidavit-in-evidence. The Workman has however, neither remained present for three subsequent consecutive hearings i.e. on 16-01-2015, 30-01-2015 and on 10-02-2015 without any justifiable cause nor could file an affidavit in evidence. Thus, this court was constrained to close the evidence of the Workman. Consequently, there is absolutely no evidence on record of the Workman in support of his pleadings. Ld. Adv. Shri P. J. Kamat, representing the Employer also submitted that since the Workman has not led any evidence in support of his pleadings, the Employer also do not wish to examine any witness in support of their defense.

17. In the case of **Airtech Pvt. Ltd. v/s. State of U.P. & Ors. 1984 (49) FLR 38, the Allahabad High Court**, has observed as under:

*"The matter can be looked at from another angle, which party will fail if the evidence is not led before the Labour Court in proceedings in a reference made to it for adjudication by the State Government? The obvious answer is that the workman will fail. Here the reference was made by the State Government at the instance of the workman and for the benefit of the workman. In the absence of any evidence led by or on behalf of the workman the reference is bound to be answered by the Court against the workman. In such a situation it is not necessary for the employers to lead any evidence at all. This matter was dealt with by the Supreme Court in **Shankar Chaudhary v/s Britannia Biscuits Co. Ltd.** In paragraph 30th Court held that the Labour Court or the Industrial Tribunal have all the trappings of a court. In paragraph 31 it held that any party appearing before a Labour Court or Industrial Tribunal 'Must' make a claim or demur the claim of the other side and when there is burden upon it to prove or establish the fact so as to invite a decision in its favour, it has to lead evidence. The obligation to lead evidence to establish an allegation made by a party is on the party making the allegation.*

*The test would be, who would fail if no evidence is led. It must seek an opportunity to lead evidence. Similar view has been taken by a Division Bench of this Court in the case V.K. Raj Industries v/s. Labour Court & Ors."*

18. In the case of **V.N.S. Eng. & Services Co. v/s. I.T. Goa, 1987 II LLN 968**, the Hon'ble High Court of Bombay has held that *"there is nothing in the Industrial Disputes Act, 1947 that indicates a departure from the general rule that he who approaches a court for relief should prove his case i.e. the obligation to lead evidence to establish an allegation, the test being that he who does not lead evidence must fail. The Hon'ble High Court of Bombay further held that the provisions of Rule-10-B of the I.D. (Central) Rules, 1957 which requires the party raising a dispute to file a statement of demands, relating only to the issue in the order of reference for adjudication within 15 days from the receipt of the order of reference and forward copies to the opposite party involved, clearly indicates that the party who raises the industrial dispute is bound to prove the contention raised by him and an Industrial Tribunal or Labour Court would be erring in placing the burden of proof on the other party to the disputes."*

19. The principle laid down by the Hon'ble High Court of Allahabad as well as Hon'ble High Court of Bombay in their aforesaid respective cases is well established and also applies to the case in hand. In the case in hand, the present reference was made by the Government of Goa pertaining to the legality and justifiability of the action of the Employer in retrenching its workman with effect from 02-08-2012. The Workman also filed his pleadings setting forth his grounds of challenge to the termination of his service w.e.f. 02-08-2012. The Employer controverted the case of the Workman on various grounds by filing its written statement. It was therefore incumbent upon the Workman to lead evidence in support of his pleadings to prove that the action of the Employer in retrenching his services w.e.f. 02-08-2012 is illegal and unjustified. The workman has however, neither appeared before the court nor could lead any evidence in support of his pleadings. This court was constrained to close the evidence of the Workman by giving him ample opportunities. Consequently, there is absolutely no evidence on record to prove the case of the Workman. Hence, in the absence of any evidence on record, all the issues are answered in the negative and it is held that the action of the Employer in retrenching the Workman w.e.f. 02-08-2012 is legal and justified. The Workman is therefore not entitled to any relief.

In view of above, I proceed to pass the following order:

#### ORDER

1. It is held that the action of the management of M/s. Luis Azavedo, Curti, Ponda-Goa, in retrenching Shri Sandesh S. Naik, Supervisor, w.e.f. 02-08-2012 is legal and justified.
2. The Workman, Shri Sandesh S. Naik is not entitled to any relief.
3. No order as to cost.
4. Inform the Government accordingly.

Sd/-  
(Suresh N. Narulkar)  
Presiding Officer  
Labour Court-II

#### Notification

No. 28/1/2015-Lab/Part-I/491

The following award passed by the Labour Court-II, at Panaji-Goa on 20-02-2015 in reference No. LC-II/IT/36/2008 is hereby published as required by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

*Shashank V. Thakur*, Under Secretary (Labour).  
Porvorim, 6th May, 2015.

IN THE LABOUR COURT-II  
GOVERNMENT OF GOA  
AT PANAJI

(Before **Shri Suresh N. Narulkar**, Hon'ble  
Presiding Officer

Case No. Ref. LC-II/IT/36/2008

Smt. Suchita V. Shirodkar, ... Workman/Party I  
C/o. The In-charge/Manager,  
M/s. PGF Ltd., Y-6, 5th Floor,  
"A" Building, Apna Bazar,  
Behind Collector's Office,  
Varde Valaulikar Road,  
Margao-Goa.

V/s

M/s. PGF Ltd., ... Employer/Party II  
2nd Floor, Vaishali Building,  
Community Centre, Paschim Vihar,  
New Delhi-110063.



Workman/Party I represented by Adv. Shri V. Menezes.

Party II/Employer represented by Adv. Shri S. P. Naik.

Panaji, dated: 20-02-2015.

#### AWARD

1. In exercise of the powers conferred by Clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Government of Goa, by Order dated 13-09-2007, bearing No. 28/33/2007-LAB/842 referred the following dispute for adjudication to the Industrial Tribunal of Goa. The Hon'ble Presiding Officer, Industrial Tribunal-cum-Labour Court thereafter assigned the present reference for its adjudication to the Labour Court-II, vide her order dated 27-05-2009.

- “(1) Whether the action of the management of M/s. PGF Limited, Mapusa, Goa, in refusing employment to Smt. Suchita Shiroadkar, Clerk, with effect from 01-11-2004, is legal and justified?
- (2) If not, to what relief the workperson is entitled?”

2. On receipt of the reference a case was registered under No. LC-II/IT/36/08 and registered A/D notices were issued to the Parties. In pursuance of the said notices, the Parties put in their appearance. The workman/Party I (for short, “Workman”) filed her Statement of Claim at Exhibit-6. The facts of the case in brief as pleaded by the Workman are that the Employer/Party II (for Short ‘Employer’) is a limited company having its registered office at S. C. O., 1042-43, Sector 22-B, Chandigrah-22. She stated that the Employer is engaged inter-alia in purchasing and obtaining long term leases from the Government, public and private trust's land. She stated that the Employer also undertakes tree plantation, looks after and maintains growth of trees and for that purpose, it accepts investments from investors.

3. She stated that she was appointed as a ‘clerk’ by the Employer in their customer service centre at Margao, by their letter of appointment dated 30-03-1993. She stated that she was in continuous service for 11 years till her illegal termination from service. She stated that her designation has been shown as ‘Assistant’ in the salary statement for the month of November, 2004. She stated that by letter dated 07-10-2004, purporting to be a transfer order, she was illegally transferred from Margao office to Mapusa office of the Company. She stated

that by letter dated 28-10-2004, she made a representation to the manager of Margao office to revoke the said transfer order. She stated that she reported to her duty on 02-11-2004 and attended office for four days till 05-11-2005. She stated that she applied for leave from 06-11-2004 till 07-12-2004 during the said time. She stated that her leave application was handed over and duly received by Shri Rajesh Kumar, CSC In-charge and he permitted to grant her leave. She stated that she was willing to join her duties on 05-12-2004 before the expiry of her leave period, however, she was not allowed to join duties at Mapusa branch. She stated that she made a further request on 04-12-2004 for revoking the said transfer order as it was causing her great hardships and inconvenience to travel and attend office at Mapusa and that the transfer order was issued only to accommodate the other employee, Mrs. Sushanta G. Sawal who was then recently married and had moved residence to Margao. She stated that right from 1st November, 2004 till April, 2005 she was neither given work nor allowed to enter the premises of Mapusa office on transfer and constantly told to submit her resignation, which she refused.

4. She stated that the Employer sent her a letter dated 14-04-2005 accompanied by a cheque for Rs.11,905/- and a covering letter stating that the same was towards full and final payment of gratuity. She stated that she also received another letter dated 06-05-2005 from Margao office, asking her to collect the full and final settlement of her terminal dues. She stated that when she approached both offices i.e. Mapusa as well as Margao, she was informed that her services has been terminated. She stated that the Employer however refused to give her letter of termination of services or even state the date on which the termination was effective from.

5. She submitted that the Industrial Employment (Standing Orders) Act, 1946 applies to the Employer as it employs more than 100 workmen. She stated that in their reply dated 13-12-2005, the Employer has stated that she had “herself remained absent from duties without prior intimation to these Respondents and hence there is no question of taking disciplinary proceedings against her and giving any notice of any kind. The Applicant made herself liable for her own fault”. She submitted that in terms of Rule 13 and 14 of the Industrial Employment (Standing Orders) Central Rules, 1946, for terminating employment of a permanent workman, notice in writing should have been given by the Employer. She submitted

that the Employer has not given any notice to her about the termination of her services nor has it given any reason for such termination. She submitted that the provisions of Industrial Employment (Standing Orders) Act, 1946 applies to the Employer, hence, while terminating an employee, the Employer is bound to follow the procedure under Model Standing Order, which has not been followed while terminating her services.

6. She stated that she has not been gainfully employed anywhere since the date of her illegal termination i.e. dated 01-11-2004. She stated that she served a letter of demand dated 30-07-2005 on the Employer, demanding her reinstatement and consequential benefits. She stated that vide reply dated 13-12-2005, the Employer contended that she is not entitled to reinstatement or consequential benefits with continuity in service and that the Employer is not bound to conduct disciplinary proceedings as she herself liable for her own fault. She submitted that the Employer claims to have given a notice to her, which she never received. She submitted that since the Employer refused to accede to her aforesaid demands, she raised an industrial dispute before the Asstt. Labour Commissioner, Mapusa, Goa, vide her letter dated 30-07-2005. The said dispute was admitted in conciliation, however ended in failure.

7. The Workman challenged her termination of service by contending to be illegal as she had no intention of resigning from her job, where she had been working diligently as a clerk since 30-03-1993 and had been in continuous service for 11 years from then till her termination from service. She submitted that she has been severely prejudiced by her illegal and unjustified termination from service. She submitted that she was not given any notice of termination of her services and as such the manner of her termination from service is clearly in violation of the rules of natural justice and therefore unfair. She submitted that the provisions of Industrial Employment (Standing Orders) Act, 1946 applies to the Employer, hence when terminating an employee, the Employer is bound to follow the procedure under Model Standing Order, which has not been followed while terminating her services. She submitted that termination of her services is in violation of Section 25-F of the I.D. Act, 1947 and thus it amounts to illegal retrenchment. The Workman therefore prayed that to declare the termination of her service by the Employer is illegal and ordered for reinstatement along with

full back wages and continuity in service. She further prayed to grant monetary compensation for the mental torture undergone and her family.

8. The Employer resisted the claim of the Workman by filing their written statement on 01-09-2009 at Exb. 8. The Employer, by way of preliminary objection submitted that the complaint of the Workman is not tenable in law and fact and as such it is not maintainable.

9. The Employer admitted that the Workman was appointed as a clerk in their customer service centre, vide appointment letter dated 30-03-1993. The Employer stated that in terms of clause 5 of the said appointment letter issued to the Workman, the services of the Workman can be transferred anywhere in India and her designation can be changed as and when necessary keeping in view the nature of work assigned to her. The Employer stated that the appointment letter issued to the Workman also states that if the terms and conditions are acceptable to her, she may report for duties at Margao branch. The Employer admitted that the Workman was given employee code No. 11440 (Assistant). The Employer stated that the Workman was paid a basic salary of Rs. 700/- and other allowances. The Employer stated that the Workman was also given increment by them.

10. The Employer admitted that it has issued a transfer order to the Workman, transferring her services from their Margao CSC branch to Mapusa CSC branch, vide their letter dated 07-10-2004. The Employer stated that the said transfer order was received by the Workman. The Employer stated that by their letter dated 26-10-2004, they instructed its Margao CSC to relieve the Workman from Margao CSC to join her new place of posting at Mapusa CSC. The Employer stated that the Workman was relieved from Margao CSC on 28-10-2004 at 6.00 p.m. and directed to report her at Mapusa CSC, vide their letter dated 28-10-2004. The Employer stated that the Workman, vide her letter dated 01-11-2004 addressed to the Mapusa CSC informed that she will join at their Mapusa CSC on 02-11-2004. The Employer stated that accordingly on 02-11-2004 the Workman joined her duties at Mapusa CSC. The Employer stated that the Workman had attended her duties for four days i.e. from 02-11-2004 to 05-11-2004 and thereafter she did not join/attend her duties at Mapusa CSC and remained absent from that day onwards. The Employer stated that the aforesaid fact has been established from the form 'G' i.e. Register of Employment and Remuneration for the month of November, 2004 maintained by their Mapusa CSC.

The Employer stated that the Mapusa CSC had issued two notices, one dated 16-11-2004 and another dated 29-11-2004 to the Workman for not reporting to her duties since 06-11-2004 without sanction of leave from the competent authority and further asked to submit written explanation within 7 days from the receipt of the said notice as to why the disciplinary action should not be taken against her. The Employer stated that it has also made two letters to its Margao CSC to finalize statement of account in respect of the full and final settlement of the Workman and also directed to pay an amount of Rs. 6,342/- by cheque to the Workman towards her full and final settlement of her account. The Employer denied that the Workman was illegally transferred from Margao office to Mapusa office. The Employer stated that it has every right to transfer the Workman or any other employee to any of its branch situated in India. The Employer denied that they refused to provide work from 01-11-2004 after receiving order of termination of Workman which is illegal and contrary to law. The Employer denied that right from 1st November, 2004 till April, 2005, neither the Workman was given work nor allowed to enter the premises of Mapusa office on transfer and constantly told her to submit resignation, which she refused. The Employer submitted that as the Workman has remained herself absent from duties without prior intimation to them and hence there is no question of taking disciplinary action against her and giving any notice of any kind. The Employer submitted that the Workman has made herself liable for her own fault. The Employer stated that it has sent a letter dated 29-11-2004 to the Workman which was duly served on her stating that failure to submit written explanation within stipulated time, it will be presumed that you have no explanation to offer and appropriate disciplinary action will be initiated against you. The Employer stated that the Workman did not bother to file any reply to the said letter. The Employer submitted that they have not violated any rules as alleged by the Workman. The Employer submitted that the Workman is not entitled for reinstatement w.e.f. 01-11-2004 with consequential benefits and continuity in service. The Employer submitted that if at all the Workman is entitled for the benefits for the work done by her during her service record with the Employer and nothing more. The Workman therefore prayed passing an appropriate order in the matter.

11. Thereafter, the Workman filed her Re-joinder on 23-09-2009 at Exb. 09. The Workman, by way of her Re-joinder reiterates and confirms all her statements, averments and submissions made by her in her claim statement

to be true and correct and denies all statements and averments made by the employer in their Written Statement dated 23-09-2009, which are contrary and inconsistent to the statements and averments made by her. The Workman stated that she never abandoned her duties and remained absent from her duties without intimation.

12. Based on the pleadings filed by the respective parties, this Court framed the following issues at Exb. 10.

1. Whether the Workman/Party I proves that the Party II refused employment to her from 01-11-2004 in violation of the provisions of Section 25-F of the Industrial Disputes Act, 1947?
2. Whether the Workman/Party I proves that the action of the Employer/Party II in refusing employment to her from 0-11-2004 is illegal and unjustified?
3. Whether the Party II proves that the Party I voluntarily abandoned her services from 06-11-2004?
4. Whether the Workman/Party I proves that she is entitled to any relief?
5. What Award? What Order?

13. My findings to the aforesaid issues are as under:

- (a) Issue No. 1 : Does not arise.
- (b) Issue No. 2 : Does not arise.
- (c) Issue No. 3 : Does not arise.
- (d) Issue No. 4 : Does not arise.
- (e) Issue No. 5 : Does not arise.

#### REASONS

I have heard the oral arguments of Id. Adv. Shri V. Menezes, appearing for the Workman. Id. Adv. Shri S. P Naik appearing for the Employer chose to file synopsis of written arguments on behalf of the Employer.

14. Id. Adv. Shri V. Menezes, representing the Employer, during the course of his oral arguments submitted that admittedly, the Workman was employed with the Employer w.e.f. 30-03-1993, vide appointment letter dated 30-03-1993, as a 'clerk' and posted at Margao branch of the Employer. He submitted that the Workman was issued a transfer order transferring her services from Margao office to Mapusa office of the Company, vide letter of the Employer dated 07-10-2004. He submitted that in pursuance to aforesaid transfer order issued by the Employer, the Workman joined her duties at Mapusa office on 02-11-2004 and worked for four days till 05-11-2004. He submitted that the Workman had



applied for leave for the period starting from 06-11-2004 till 7-12-2004 at the relevant time. He submitted that the aforesaid leave of the Workman was sanctioned by Shri Rajesh Kumar, CSC In-charge of the Employer. He submitted that when the Workman went to report for her duties on 05-12-2004 before the expiry of her leave period at Mapusa branch of the Employer, she was refused employment by the Employer. He submitted that right from 01-11-2004 till April, 2005, she was neither given any work nor allowed to enter the premises of the Mapusa office of the Employer and constantly told to submit her resignation, which she refused. He submitted that the Employer sent a letter dated 14-04-2005 to the Workman accompanied by a cheque for Rs.11,905/- and a covering letter stating that the same was towards full and final payment of gratuity. He submitted that the Workman also received another letter dated 06-05-2005 from the Margao office of the Employer informing her to collect the full and final settlement of her terminal dues. He submitted that after receiving the aforesaid letters of the Employer, when she approached both offices i.e. Mapusa as well as Margao she was informed that her services had been terminated, however, she was refused to give letter of termination. He submitted that the Industrial Employment (Standing Orders) Act, 1946 applies to the Employer as it employs more than 100 workmen. He submitted that in terms of Rule 13 and 14 of the Industrial Employment (Standing Orders) Central Rules, 1946, the Workman was required to give a notice in writing by the Employer, if they intends to terminate the employment of its permanent workman. He submitted that Employer has however, failed to serve any notice on the Workman before the termination of her services. He submitted that in terms of Rule 14 of the Industrial Employment (Standing Orders) Central Rules, 1946, habitual absence without leave or leave of absence for more than 10 days constitute misconduct. He submitted that the Employer has however, neither issued any notice directing the Workman to report for duties nor issued any show-cause notice or charge-sheet nor conducted any enquiry against the Workman to comply the principles of natural justice. Hence, the action of the Employer in terminating the services of the Workman w.e.f. 01-11-2004 is illegal and unjustified. He submitted that the Workman has not been gainfully employed anywhere since the date of her illegal termination i.e. from 01-11-2004. The Workman is therefore entitled for reinstatement along with full back wages, continuity in service and consequential benefits. In support of his oral submissions, he relied upon the following decisions.

1. In the case of **Jasmer Singh v/s State of Haryana and Anr., reported in Civil Appeal No.346 of 2015**, of the Hon'ble Supreme Court of India.
2. In the case of **Deepali Gundu Surwase v/s Kranti Junior Adhyapak Mahavidyalaya (D. Ed.) and Ors., reported in (2013) 10 SCC 324**, of the Hon'ble Supreme Court of India.
3. In the case of **Val Colour Arts, Mumbai & Anr. v/s Sandesh Ramesh Bhosle, reported in (2014) III CLR 538** of the Hon'ble High Court of Bombay.
4. In the case of **M/s. U.P. State Bridge Corporation Ltd. v/s Maharashtra General Kamgar Union., reported in 2008 (2) BCR 619**, of the Hon'ble High Court of Bombay.
5. In the case of **Kendriya Vidyalaya Sangathan and Anr. v/s S. C. Sharma, reported in (2005) 2 SCC 363**, of the Hon'ble Supreme Court of India.
6. In the case of **U.P. State Brassware Corpn. Ltd. and Anr. v/s Uday Narain Pandey, reported in (206) 1 SCC 479**, of the Hon'ble Supreme Court of India.
15. On the contrary, **Ld. Adv. Shri S. P. Naik**, representing the Employer, in his synopsis of written arguments submitted that the Workman was appointed as a 'clerk' by its letter of appointment dated 30-03-1993. He submitted that in terms of clause 5 of the said appointment letter issued to the Workman, her services can be transferred anywhere in India and that designation can be changed as and when necessary, keeping in view the nature of work assigned to her. He submitted that by letter dated 07-10-2004, the workman was issued transfer order, transferring her services from Margao CSC branch to Mapusa CSC branch of the Employer and accordingly, she was issued a relieving order dated 28-10-2004 from Margao CSC and directed her to report to Mapusa CSC. He submitted that the Workman joined her duties at Mapusa office on and from 02-11-2004. He submitted that the Workman attended her duties just for four days at Mapusa office i.e. from 02-11-2004 to 05-11-2004 and thereafter she did not join/attend her duties at Mapusa CSC and remained absent from 06-11-2004. He submitted that aforesaid facts have been established from the Form 'G' i.e. Register of Employment and Remuneration for the month of November, 2004 maintained by the Employer. He further submitted that the Employer company had also issued two notices one dated 16-11-2004 and another dated 29-11-2004 to the Workman by registered A/D post,

informing her that from 06-11-2004 she is not reporting for duties without sanction of leave from the competent authorities and further asked to submit a written explanation within seven days from the receipt of the said notice as to why disciplinary action should not be taken against her. He submitted that both the said notices issued to the Workman returned back with postal endorsement “unclaimed” which is a good service of summons in the eyes of law. He submitted that the Workman has not submitted her explanation to the aforesaid notices issued to her. He submitted that the Employer therefore presumed that the Workman has abandoned from service and as such directed its Margao CSC to pay an amount of Rs. 6,342/- to the Workman by cheque towards her full and final settlement of accounts. He submitted that the Employer denied that they have refused employment to the Workman from 01-11-2004 or given any work or allowed to enter the premises of Mapusa office or she was constantly told to submit her resignation. He submitted that the Workman has remained herself absent from duties without prior intimation to the Employer and hence there is no question of taking any disciplinary proceedings against her and giving any notice of any kind and that she has made herself liable for her own fault. He therefore submitted that the Workman has failed to prove her case and therefore she is not entitled for reinstatement w.e.f. 01-11-2004 with full back wages, continuity in service and consequential benefits.

I have carefully perused the entire records of the present case including the synopsis of written arguments filed by the Employer. I have also carefully considered the various submissions made by the Ld. Advocates appearing for the respective parties and I am of the firm opinion as under:

16. Undisputedly, the Workman was appointed as a ‘Clerk’ by the Employer, vide their letter of appointment dated 30-03-1993 (Exb. W/1) and posted at Margao CSC branch of the Employer. It is also not in dispute that the Workman has worked at Margao CSC branch of the Employer from the date of her appointment i.e. from 30-03-1993 till she was issued a transfer order dated 07-10-2004 (Exb. W/2). It is further admitted that the Workman, vide her letter dated 20-10-2004 (Exb. W/3) and letter dated 04-12-2004 (Exb. W/4) addressed to the Employer requested to revoke her transfer order on humanitarian ground. It is admitted that the Workman joined her new place of posting at Mapusa CSC of the Employer on 02-11-2004 and worked at Mapusa CSC of the Employer from 02-11-2004 till 05-11-2004.

17. It is the case of the Workman that she had applied for leave from 06-11-2004 till 07-12-2004 and the said leave application was handed over and duly received by Shri Rajesh Kumar, CSC In-charge Mapusa and that he was permitted to grant her leave. On the contrary, it is the case of the Employer that the Workman remained absent from duty on and from 06-11-2004 without prior intimation to them and that two notices issued to her returned back with postal endorsement “unclaimed, returned to sender” and as such there is no question of taking disciplinary proceedings against her or giving any notice of any kind.

18. The present order of reference issued by the Government of Goa pertains to the legality and justifiability of the action of the Employer in refusing employment to the Workman w.e.f. 05-12-2004. By Corrigendum dated 17-07-2009, the Government of Goa modified the date of refusal of employment of the Workman as “01-11-2004” instead of “05-12-2004”. The demand letter of the workman on record at Exb. W/7, indicates that right from 01-11-2004 till April, 2005, she was neither given any work nor allowed to enter the premises of the Mapusa office on transfer and was constantly told to submit her resignation. The Workman, therefore requested for her reinstatement w.e.f. 01-11-2004 with all consequential benefits and continuity in service. Report on failure of conciliation proceedings dated 22-08-2006, which is on record at Exb. W/11 indicates that the Workman, vide her letter dated 30-07-2005 addressed to the Employer informed that her services have been illegally terminated by the Employer w.e.f. 01-11-2004 and requested the Asstt. Labour Commissioner, Mapusa-Goa, to intervene in the matter.

19. The Workman pleaded and also stated on oath, in her affidavit-in-evidence filed in the present proceedings that right from 01-11-2004 till April, 2005, she was neither given work nor allowed to enter the premises of Mapusa office. The Workman however, further pleaded and also stated on oath that upon her transfer to Mapusa office, she reported to her duty on 02-11-2004 and attended office for four days till 05-11-2004 and applied for leave from 06-11-2004 to 07-12-2004. The aforesaid two statements made by the Workman are contradictory to each other. The Workman was also confronted with her aforesaid statements by Ld. Adv. Shri S. P. Naik, during the course of her cross-examination, however, she vaguely stated that both of her aforesaid statements are correct.



20. The Workman, in her oral evidence on record deposed that she never abstained from going to work without leave of absence and that she had applied for leave for the period from 06-11-2004 till 07-12-2004, which was sanctioned to her by Shri Rajesh Kumar, CSC In-charge, Mapusa. The letter of the Workman dated 01-11-2004 addressed to the CSC-In-charge Mapusa (Exb. 44) indicates that the Workman had informed the Employer that she is joining at Mapusa CSC on 02-11-2004. Form 'G', i.e. see 15 Register Employment and Remuneration (attendance register) maintained by the Employer towards the attendance of the Workman for the month of November, 2004 (Exb. 45) on record indicates that the Workman had attended her duties from 02-11-2004 till 05-11-2004 and further remained absent on and from 06-11-2004. The Workman also admitted of having signed in the relevant column of the said attendance register at Exb. 45. In her cross-examination, the Workman deposed that she has not signed the muster roll maintained by the Employer from 06-11-2004 as she had applied for leave. She deposed that she had submitted her leave application to the Employer between the period starting from 02-11-2004 till 05-11-2004. The minutes of the conciliation proceedings held before the Asstt. Labour Commissioner, Mapusa-Goa, which is on record at Exb. W/10 indicates that the Workman submitted that after her transfer to Mapusa branch, she joined her duties from 02-11-2004 to 05-11-2004 and during that period she had applied for leave from 06-11-2004 to 07-12-2004 and that when she willingly went to join her duties on 05-12-2004, she was not allowed to join duty at Mapusa branch of the Employer.

21. The statement of accounts of the Workman towards her full and final settlement of account dated 13-04-2005 prepared by the Employer by stating that the workman exit w.e.f. 06-11-2004 and which has been produced by the Workman on record at Exb. W/5 indicates that the Employer has prepared the salary of the Workman for the month of November, 2004 for five days amounting to Rs. 650/-. A letter of the Employer dated 13-04-2005 from Human Resources Department to CSC-In-charge Margao, which has been produced by the Workman on record at Exb. W/6 indicates that the Employer prepared a statement of full and final settlement of account of the Workman stating that she exit w.e.f. 06-11-2004 and advised to pay an amount of Rs. 6,342/- by "cheque payee A/C". The reply filed by the Employer before the Asstt. Labour Commissioner and Conciliation Officer at Mapusa-Goa, which has been produced by the Workman on record at Exb. W/8, indicates that

Employer denied that they have refused to provide work to her from 01-11-2004 and further stated that the Workman remained absent from duties from 06-11-2004.

22. Thus, upon careful perusal of the oral as well as documentary evidence adduced by both the parties on record indicates that though the Workman contended that right from 01-11-2004 till April, 2005, she was neither given work nor allowed to enter the premises of Mapusa office and that she was refused employment by the Employer from 01-11-2004, she failed to produce on record any cogent evidence in support of her oral evidence. Consequently, the Workman failed to prove that she was refused the employment by the Employer w.e.f. 01-11-2004. On the contrary, the evidence on record indicates that the Workman, by her own letter dated 01-11-2004 informed the Employer that she is joining at Mapusa office on 02-11-2004 consequent upon her transfer. The evidence on record further indicates that the Workman joined her duties at Mapusa office of the Employer on 02-11-2004 and worked for four days till 05-11-2004. The Workman has also signed the muster roll maintained by the Employer from 02-11-2004 till 05-11-2004. The Workman thereafter remained absent from duties on and from 06-11-2004. The Workman alleged that she had applied for leave from 06-11-2004 till 07-12-2004. The Workman has however, failed to produce on record any evidence in support of her aforesaid allegation except making a bare statement. The evidence adduced by the Workman does not appear to be trustworthy and reliable. On the contrary, the Employer stated that the Workman remained absent from duty on and from 06-11-2004 without sanction of leave from the competent authority and therefore they have issued two notices to the Workman pointing out her unauthorized absenteeism and further asked to submit her written explanation within seven days from the receipt of the said notices. The Employer also produced on record two registered A/D notices, one dated 16-11-2004 and another dated 29-11-2004, in support of their oral evidence.

23. In the case of **Suresh Chandra v/s General Manager, Rajasthan State Bridge and Construction Corporation, reported in 2002 (3) LLN 1212**, the Hon'ble High Court of Rajasthan has held that the reference made by the Government is bad in law and is liable to be rejected because the date of termination of service mentioned in the reference is a wrong one. In the said case the contention of the workman was that he had worked from 26th September, 1979 to 28th February, 1987 and his services were terminated

from 1st March, 1987 without complying with the provisions of the Industrial Disputes Act, 1947. The Government made the reference to the labour court as to whether the termination of service of the workman with effect from 1st March, 1989 was justified and if not to what relief he was entitled to. The labour court after appreciating the evidence produced by the parties held that the workman had completed 240 days but since 13 years had passed, instead of granting reinstatement awarded a sum of Rs. 38000/- as compensation. In Writ Petition before the Hon'ble High Court, the employer raised the issue that the reference made by the government was bad and therefore the Award was nullity, because according to the workman himself his services terminated from 1st March, 1987 whereas the reference was in respect of the termination of service from 1st March, 1989. It was submitted on behalf of the workman that the parties led evidence knowing that the services of the workman were retrenched from 1st March, 1987 and as the parties were aware of the real dispute the award cannot be held to be nullity for want of jurisdiction. It was further submitted that the labour court itself had considered the issue and come to the conclusion that though the reference was in respect of termination with effect from 1st March, 1989 it proceeded as if the termination was from 1st March, 1987 as per the claim of the workman and while doing so the labour court itself amended the reference accordingly to do justice between the parties and therefore no interference was required. The Hon'ble High Court however did not agree with the submissions made on behalf of the Workman. The Hon'ble High Court relying on various judgments of the Supreme Court held that jurisdiction cannot be conferred by mere acceptance, acquiescence, consent or by any other means, as it can be conferred only by the legislature. The Hon'ble High Court held that the labour court lacks competence to correct/modify, amend/alter the terms of the reference or correct the name or date of termination etc. and in case it does so, the award becomes nullity, being without jurisdiction, based on bad reference. The Hon'ble High Court therefore declared that the award of the labour court was nullity, unenforceable and inexecutable and hence set aside the same.

24. The principle laid down by the Hon'ble High Court of Rajasthan in its aforesaid case of **Suresh Chandra (supra)** is squarely applicable to the case in hand. Applying the law laid down by the Hon'ble High Court of Rajasthan in its aforesaid case, in the instant case, the date of refusal of employment of the Workman has been wrongly mentioned as 01-11-2004, when the Workman has

joined her duties at Mapusa CSC of the Employer on 02-11-2004 and worked for four days till 05-11-2004 consequent upon her transfer and thereafter remained absent from her duties on and from 06-11-2004 without any information or prior permission of the Employer. The Workman herself in her pleadings as well as in her oral evidence has stated that she was refused the employment from 01-11-2004 and further stated that she had attended her duties at Mapusa office of the Employer from 02-11-2004 to 05-11-2004 for four days and applied for leave for the period starting from 06-11-2004 till 07-12-2004 and that when she willingly went to report for duties on 05-12-2004, she was not allowed to report for duties. Thus, the reference made by the Government is therefore bad-in-law and any award passed in the said reference would be nullity. In the circumstances it is held that the reference made by the Government is bad in law and hence the same is liable to be rejected. Since the reference made by the Appropriate Government is itself bad in law and is liable to be rejected, the question of deciding the issue Nos. 1 to 5 does not arise. The issue Nos. 1 to 5 is therefore answered accordingly.

In view of above, I proceed to pass the following order:

#### ORDER

1. It is held that the reference made by the Government is bad-in-law and hence the same is rejected.
2. No order as to cost.
3. Inform the Government accordingly.

Sd/-  
(Suresh N. Narulkar)  
Presiding Officer  
Labour Court-II.

#### Corrigendum

No. 24/25/2013-Lab-ESI/528

Read: Order No. 24/25/2013-Lab-ESI/463 dated 24-04-2015.

The Memorandum No. 24/25/2013-Lab-ESI/67 dated 24-01-2014 cited at preamble of the above order may be substituted to be read as below:

1. Memorandum No. 24/25/2013-Lab-ESI/637 dated 05-11-2014.
2. Memorandum No. 24/25/2013-Lab-ESI/638 dated 05-11-2014.
3. Memorandum No. 24/25/2013-Lab-ESI/636 dated 05-11-2014.

4. Memorandum No. 24/25/2013-Lab-ESI/639 dated 05-11-2014.
5. Memorandum No. 24/25/2013-Lab-ESI/640 dated 05-11-2014.
6. Memorandum No. 24/25/2013-Lab-ESI/641 dated 05-11-2014.

All the other contents of the Order remain unchanged.

By order and in the name of the Governor of Goa.

*Shashank V. Thakur*, Under Secretary (Labour).  
Porvorim, 22nd May, 2015.



### Department of Law & Judiciary

Law (Establishment) Division

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#### Certificate of Practice

No. 8-7-2014-LD(Estt)(82)/1060

In partial modification of Certificate of Practice dated 28-02-2014 issued under the provisions of Notaries Act, 1952 (Central Act 53 of 1952) and the Notaries Rules, 1956 made thereunder, Government of Goa is pleased to extend the area of practice as a Notary of Shri Purushottam Krishna Phaladesai, to South Goa District, under Rule 8A of the Notaries Rules, 1956, with immediate effect.

By order and in the name of the Governor of Goa.

*Amul S. Gaunker*, Under Secretary (Estt.).  
Porvorim, 19th May, 2015.

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#### Certificate of Practice

No. 8-7-2014-LD(Estt)(4)/1061

In partial modification of Certificate of Practice dated 28-02-2014 issued under the provisions of Notaries Act, 1952 (Central Act 53 of 1952) and the Notaries Rules, 1956 made thereunder, Government of Goa is pleased to extend the area of practice as a Notary of Shri Udaynath Raghuvir Bicholker, to South Goa District, under Rule 8A of the Notaries Rules, 1956, with immediate effect.

By order and in the name of the Governor of Goa.

*Amul S. Gaunker*, Under Secretary (Estt.).  
Porvorim, 19th May, 2015.

#### Certificate of Practice

No. 8-7-2014-LD(Estt)(24)/1062

In partial modification of Certificate of Practice dated 28-02-2014 issued under the provisions of Notaries Act, 1952 (Central Act 53 of 1952) and the Notaries Rules, 1956 made thereunder, Government of Goa is pleased to extend the area of practice as a Notary of Smt. Abhilasha Manguesh Dessai, to South Goa District, under Rule 8A of the Notaries Rules, 1956, with immediate effect.

By order and in the name of the Governor of Goa.

*Amul S. Gaunker*, Under Secretary (Estt.).  
Porvorim, 19th May, 2015.

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#### Certificate of Practice

No. 9-18-2004-LD(Estt) Part-II (217)/1063

In partial modification of Certificate of Practice dated 29-1-2010 issued under the provisions of Notaries Act, 1952 (Central Act 53 of 1952) and the Notaries Rules, 1956 made thereunder, Government of Goa is pleased to extend the area of practice as a Notary of Smt. Harsha R. Naik, to State of Goa, under Rule 8A of the Notaries Rules, 1956, with immediate effect.

By order and in the name of the Governor of Goa.

*Amul S. Gaunker*, Under Secretary (Estt.).  
Porvorim, 19th May, 2015.



### Department of Personnel

#### Order

No. 11/8/79-PER/1679

Read: Government Order No. 11/8/77-PER dated 30-04-2015.

Smt. Blossom Medeira, Archivist (General) who is at present functioning as Director of Archives & Archeology on officiating basis shall also hold the charge of the post of Executive Editor, Goa Gazetteer Department, in addition to her own duties with immediate effect and until further orders.

By order and in the name of the Governor of Goa.

*R. Aga*, Under Secretary (Personnel-II).  
Porvorim, 29th May, 2015.

## Memorandum

No. 6/8/2014-PER/1369

- Read: (1) Memorandum No. 5/8/2003-PER dated 20-06-2006.  
 (2) Memorandum No. 6/8/2014-PER dated 24-06-2014.  
 (3) Memorandum No. 6/8/2014-PER dated 19-08-2014.  
 (4) Memorandum No. 6/8/2014-PER (B) dated 12-11-2014.  
 (5) Memorandum No. 6/8/2014-PER (A) dated 12-11-2014.

Whereas the final seniority of Junior Scale Officers of Goa Civil Service as of 2006 was issued vide Memorandum No. 6/8/2014-PER dated 24-06-2014 and Order No. 6/8/2014-PER-B dated 12-11-2014.

And whereas the Seniority of Senior Scale Officers of Goa Civil Service Officers circulated vide Memorandum No. 6/8/2014-PER dated 19-08-2014 was treated as the tentative Seniority of Senior Scale Officers of Goa Civil Service vide Order No. 6/8/2014-PER(A) dated 12-11-2014 inviting objections (if any) from all officers appearing in the said list and presently serving in the Goa Civil Service cadre.

And whereas, representations were received from four officers viz. Shri Elvis P. Gomes, Shri Swapnil Naik, Shri Menino D'Souza and Ms. Margaret A. Fernandes, objecting to the tentative seniority list dated 19-08-2014 and two officers viz. Shri Arun Desai and Shri Sandeep Jacques represented in favour of the said Seniority dated 19-08-2014.

And whereas, on Government directions, the Chief Secretary, personally conducted the exercise of finalization of the seniority of the Senior Scale Officers of Goa Civil Service and gave hearing to all the 06 aforementioned officers and upon careful examination of all the issues pointed out, both in support and against the said seniority list dated 19-08-2014, the Chief Secretary has come to the conclusion that the tentative seniority of senior scale officers circulated vide Memorandum No. 6/8/2014-PER dated 19-08-2014 should be finalized in the same order with respect to the officers who were appointed till the year 1998 and were covered under Serial No. 1 to 50 of O.M. dated 20-06-2006 as the contentious issues of inter-se seniority only related to them including the representationists.

And now therefore, the seniority of Senior Scale Officers of Goa Civil Service, who were appointed in the Goa Civil Service not later than 1998 and whose seniority in Junior Scale stands finalized vide Office Memorandum No. 5-7-99-PER(Vol-I) dated 19-6-2002, is finalized as follows:-

Sr. No.	Name of the Officer	Date of Birth	Date of Appointment in Junior Scale	Date of Appointment in Senior Scale	Remarks
1	2	3	4	5	6
1.	Shri A. K. Wasnik	04-12-1953	01-12-1981	03-07-1996	Inducted to IAS/Retired.
2.	Shri S. P. Dixit	15-01-1955	07-07-1984	03-07-1996	Inducted to IAS.
3.	Shri J. B. Singh	01-07-1958	26-07-1985	03-07-1996	Inducted to IAS.
4.	Shri Cholleti Prabhakar	09-06-1956	24-07-1985	03-07-1996	Inducted to IAS.
5.	Shri W. V. Ramana Murthy	04-07-1959	19-08-1985	03-07-1996	Inducted to IAS.
6.	Shri Pratapsingh Meena	03-11-1951	29-09-1986	03-07-1996	Retired.
7.	Shri D. A. Hawaldar	15-09-1960	15-07-1988	03-07-1996	Inducted to IAS
8.	Shri N. Suryanarayana	10-08-1961	27-06-1988	-	VRS.
9.	Shri P. Sreenivasa Reddy	15-05-1962	17-06-1988	03-07-1996	Inducted to IAS.
10.	Shri R. Mihir Vardhan	11-12-1960	23-05-1988	03-07-1996	Inducted to IAS.
11.	Shri G. G. Kambli	12-09-1947	16-05-1985	03-07-1996	Retired.
12.	Shri K. B. Surjuse	—	16-05-1985	-	Retired.
13.	<b>Shri Sandip Jacques</b>	26-05-1971	09-01-1998	29-07-2005	Promoted to Selection Grade.
14.	Shri C. J. Kamble	17-07-1947	22-01-1997	29-07-2005	Retired.
15.	<b>Shri Arun L. Dessai</b>	24-11-1959	09-01-1998	29-07-2005	Promoted to Selection Grade.



1	2	3	4	5	6
16.	Shri N. D. Agrawal	01-01-1953	22-01-1997	29-07-2005	Promoted to Selection Grade/ /Retired.
17.	<b>Shri Swapnil M. Naik</b>	04-06-1973	09-01-1998	29-07-2005	Promoted to Selection Grade. Retired.
18.	Shri Vasant P. Bodnekar	07-08-1949	22-01-1997	29-07-2005	Expired.
19.	Shri G. H. Kenaudekar	14-04-1950	22-01-1997	29-07-2005	Promoted to Selection Grade.
20.	<b>Shri Elvis P. Gomes</b>	01-01-1963	09-01-1998	29-07-2005	Promoted to Selection Grade.
21.	<b>Shri Menino D'Souza</b>	02-11-1963	09-01-1998	29-07-2005	Promoted to Selection Grade.
22.	<b>Shri Sakham V. Naik</b>	26-06-1960	09-01-1998	29-07-2005	Promoted to Selection Grade.
23.	Smt. Candida Fernandes	14-11-1950	22-01-1997	29-07-2005	Promoted to Junior Administrative Grade/Retired.
24.	Shri N. B. Narvekar	15-01-1952	22-01-1997	29-07-2005	Promoted to Selection Grade/ /Retired.
25.	Shri P. K. Patidar	31-08-1954	22-01-1997	29-07-2005	Retired.
26.	<b>Shri Narayan Sawant</b>	24-11-1962	09-01-1998	29-07-2005	Promoted to Selection Grade.
27.	Shri G. P. Naik	05-05-1951	22-01-1997	29-07-2005	Promoted to Junior Administrative Grade/Retired.
28.	<b>Shri Sanjit Rodrigues</b>	15-07-1971	09-01-1998	29-07-2005	Promoted to Selection Grade.
29.	<b>Shri J. B. Bhingui</b>	25-04-1955	22-01-1997	29-07-2005	Promoted to Selection Grade.
30.	<b>Shri Damodar B. Shanke</b>	10-05-1961	09-01-1998	29-07-2005	Promoted to Selection Grade.
31.	<b>Shri Sanjiv M. Gadkar</b>	14-02-1973	09-01-1998	29-07-2005	Promoted to Selection Grade.
32.	<b>Shri Yetindra M. Maralkar</b>	05-10-1970	09-01-1998	29-07-2005	Promoted to Selection Grade.
33.	Shri Ashok N. P. Desai	10-10-1947	22-01-1997	29-07-2005	Retired.
34.	Shri Gopalkrishna Padgaonkar	11-01-1951	22-01-1997	29-07-2005	Promoted to Junior Administrative Grade/Retired.
35.	Shri M. B. Kumthekar	05-09-1953	22-01-1997	29-07-2005	Promoted to Selection Grade/ /Retired.
36.	Shri Cipriano Fernandes	16-09-1949	22-01-1997	29-07-2005	Retired.
37.	<b>Shri Melvyn Vaz</b>	09-03-1966	09-01-1998	29-07-2005	—
38.	<b>Kum. Margaret A. Fernandes</b>	18-07-1960	09-01-1998	29-07-2005	Promoted to Selection Grade.
39.	<b>Shri Vinesh Arlekar</b>	07-10-1965	09-01-1998	29-07-2005	Promoted to Selection Grade.

By order and in the name of the Governor of Goa.

*R. Aga*, Under Secretary (Personnel-II).

Porvorim, 30th April, 2015.



**Department of Power**

Office of the Chief Electrical Engineer

**Order**

No. 60/2/IPDS-DDUGJY/2015-16/CEE/TECH/363

Sub.: Constitution of "District Electricity Committee".

The Government of India has recently approved the Deendayal Upadhyay Gram Jyoti Yojana (DDUGJY) and Integrated Power Development Scheme (IPDS) for rural urban areas respectively. While DDUGJY aims at feeder separation, strengthening of sub-transmission & distribution networks, metering at all level in the rural areas and village electrification as per the approved guidelines, the IPDS aims at strengthening of sub-transmission and distribution network, metering of distribution transformers/feeders/consumers in the urban areas and IT enablement of distribution sector. The underlying objective of these schemes is to ensure uninterrupted and reliable energy access to all, besides reduction in sub-transmission and distribution losses.

To institutionalize the system of consultation with public representatives, it is felt imperative that a District Level Committee be made functional in which the public representatives are actively engaged throughout the life cycle of the project from its formulation to execution and regular monitoring.

Therefore the Government of Goa is pleased to constitute District Electricity Committees for North and South Goa with the following composition to review and monitor the implementation of all Central schemes in the power sector.

**North Goa District Electricity Committee**

- i) Shri Shripad Y. Naik, — Chairperson.  
MP, North Goa
- ii) North Goa, District — Convenor.  
Collector
- iii) North Goa, Zilla Panchayat — Member.  
President
- iv) MLA of the District — Members.  
Shri Siddharth Kuncolinlkar,  
MLA, Panaji  
Shri Rajendra Arlekar,  
MLA, Pednem  
Shri Lavoo Mamledar,  
MLA, Ponda  
Shri Pratapsingh Rane,  
Poriem  
Shri Rohan Khaunte,  
Porvorim

Shri Pandurang D. Davalikar,  
Priola  
Shri Ticlo Glenn JVAE  
Souza, Aldona  
Shri Ranesh Saval,  
Bicholim  
Shri Michal Lobo, Calangute  
Shri Pandurang Madkaikar,  
Cumbarjua  
Shri Anant Shet, Maem  
Shri Laxmikant Parsekar,  
Mandrem  
Shri Francis D'Souza,  
Mapusa  
Shri Ramkrishna Davalikar,  
Madkai  
Shri Dilip Parulekar,  
Saligao  
Shri Dayanand Mandrekar,  
Siolim  
Shri Vishnu S. Wagh,  
St. Andre  
Shri Atanasio J. Monserrate,  
St. Cruz  
Mrs. Jannifer A. Monserrate,  
Taleigao  
Shri Kiran Kandolkar,  
Tivim  
Shri Vishwajit P. Rane,  
Valpoi  
Shri Mahadev Naik,  
Shiroda

- v) Senior most representatives — Nil.  
of CPSUs of Power, Coal  
and NRE Ministry if located  
in the concerned district

- vi) Chief Electrical Engineer — Member  
Secretary.

**South Goa District Electricity Committee**

- i) Shri Narendra Saivoikar, — Chairperson.  
MP, South Goa
- ii) Shri Shantaram Naik, — Co-Chairperson.  
MP Rajya Sabha
- iii) South Goa, District — Convenor.  
Collector
- iv) South Goa, Zilla Panchayat — Member.  
President
- v) MLA of the South Goa, — Members.  
District  
Shri Caetano R. Silva,  
MLA, Benaulim  
Shri Ramesh Tawadkar,  
Canacona  
Smt. Alina M. Saldana,  
Cortalim  
Shri Rajan Naik,  
Cuncolim

Shri Nilesh Cabral,  
Curchorem  
Shri Aleixo Reginaldo  
Lourenco, Curtorim  
Shri Mauvin Godinho,  
Dabolim  
Shri Vijai Sardesai,  
Fatorda  
Shri Digamber Kamat,  
Margao  
Shri Milind Naik,  
Mormugao  
Shri Avertano Furtado,  
Navelim  
Shri Francisco Pacheco,  
Nuvem  
Shri Chandrakant  
Kavalekar, Quepem  
Shri Subhash Phal Dessai,  
Sanguem  
Shri Pramod Sawant,  
Sanquelim  
Shri Ganesh C. Gaonkar,  
Sanvordem  
Shri Jose L. Almeida,  
Vasco-da-Gama  
Shri Benjamin Silva,  
Velim

vi) Senior most representatives — Nil.  
of CPSUs of Power, Coal  
and NRE Ministry if located  
in the concerned district

vii) Chief Electrical Engineer — Member  
Secretary.

The committee will meet at least once in 3 months at the District headquarters. The committee shall be consulted in the preparation of DPRs under DDUGJY and IPDS and would monitor the implementation of these schemes. The committee would also review the quality of power supply and consumer satisfaction and would promote energy efficiency and energy conservation.

Minutes of the meeting will be issued by the Convenor.

The Member Secretary to ensure that requisite meetings take place and a quarterly report is sent to the Nodal Agency i.e. REC & PFC as the case may be.

*S. Lekshmanan*, Chief Electrical Engineer & ex officio Additional Secretary.

Panaji, 8th June, 2015.

## Department of Town & Country Planning

Office of the Chief Town Planner

### Notification

No. 4-5-2-84-UDD(Part)TCP/2015/1719

Read: Notification No. 4-5-2-84-UDD(Part)TCP/  
/2015/1291 dated 27-03-2015.

In exercise of the powers conferred by the first proviso to sub-rule (1) of rule 3 of the Goa, Daman and Diu Town & Country Planning (Planning and Development Authorities) Rules, 1977, the Government of Goa hereby extends the term of office of the Chairman and members of the South Goa Planning and Development Authority, constituted vide Notification No. 4-5-2-84-UDD(Part)TCP/  
/2012/1353 dated 24-04-2012, published in Official Gazette, Series II No. 5 dated 03-05-2012 further up to 31-05-2015.

By order and in the name of the Governor  
of Goa.

*Dr. S. T. Puttaraju*, Chief Town Planner & ex  
officio Joint Secretary.

Panaji, 29th April, 2015.

### Notification

No. 4-5-2-84-UDD(Part)TCP/2015/1720

Read: Notification No. 4-5-2-84-UDD(Part)TCP/  
/2015/1292 dated 27-03-2015.

In exercise of the powers conferred by the first proviso to sub-rule (1) of rule 3 of the Goa, Daman and Diu Town & Country Planning (Planning and Development Authorities) Rules, 1977, the Government of Goa hereby extends the term of office of the Chairman and members of the North Goa Planning and Development Authority, constituted vide Notification No. 4-5-2-84-UDD(Part)TCP/  
/2012/1354 dated 24-04-2012, published in Official Gazette, Series II No. 5 dated 03-05-2012 further up to 31-05-2015.

By order and in the name of the Governor  
of Goa.

*Dr. S. T. Puttaraju*, Chief Town Planner & ex  
officio Joint Secretary.

Panaji, 29th April, 2015.

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